

**Turtle Lake Township
Zoning and Subdivision Ordinance**

Ordinance No. 040113 A

**Turtle Lake Township
Beltrami County, Minnesota**

Adoption On April 1, 2013

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APPENDIX A USE BY LAND USE DISTRICT

Turtle Lake Township
Zoning and Subdivision Ordinance
Ordinance No. _____

PREAMBLE

The Board of Supervisors of the Town of Turtle Lake ordains:

STATUTORY AUTHORIZATION

The Town Board of Turtle Lake Township (the “Township”) hereby adopts this ordinance, which shall be known as the “Turtle Lake Township Zoning and Subdivision Ordinance” (referred to herein as this “Ordinance”), pursuant to its authority under Minnesota Statutes, sections 462.351 to 462.364 and such other law as may apply. This Ordinance does not rely on the authority provided in Minnesota Statutes, sections 366.10 to 366.181 and the procedures and requirements of those sections do not apply to this Ordinance.

PURPOSE

This Ordinance is adopted with the following intent and for the following purposes:

- A. This Ordinance is designed to ensure, promote and protect the health, safety and general welfare of present and future inhabitants of the Township;
- B. Provide for the wise and orderly development of the Township consistent with the regulations and standards of this Ordinance and of the Turtle Lake Township Comprehensive Plan (“Comprehensive Plan”);
- C. To establish zoning districts for land in the Township and to recognize that Beltrami County regulates aspects of zoning and land use within the Township in the matters of shorelands, floodplains, septic systems, and subdivisions;
- D. To allow and regulate certain uses of land and structures within the Township while prohibiting other uses and structures;
- E. To regulate structures and buildings within the Township including, but not limited to, the size, location, and permit requirements;
- F. Conserving historical, natural and scenic areas of the Township;
- G. To establish a set of regulations that impose reasonable restrictions in order to protect property values and to minimize the imposition of negative impacts on neighboring properties;
- H. Promoting the most appropriate use of the land and providing for the orderly development of undeveloped areas in accordance with the Comprehensive Plan; and
- I. To prescribe penalties for violating this Ordinance.

ARTICLE I GENERAL PROVISIONS

101 JURISDICTION

The jurisdiction of this Ordinance shall include all lands within Turtle Lake Township, Minnesota, except areas within the incorporated limits of any city, however organized, or as may otherwise be provided by law. Furthermore, with the exception of the regulations imposed on public nuisances and the requirements associated with obtaining Township approval for subdivisions contained in this Ordinance, the Township leaves the regulation of shorelands to the County.

102 COMPLIANCE

The use of any land, the size and shape of lots, the use, size, type and location of structures on lots, the location of water supply and sewage treatment systems, and the subdivision or configuration of land, may only be undertaken by adherence to and in full compliance with the terms of this Ordinance and other applicable regulations. No structure shall be erected, placed, converted, enlarged, reconstructed, or altered, and no structure or land shall be used, for any purpose or in any manner which is not in conformity with this Ordinance. Any deviation from the terms of this Ordinance is not allowed unless first authorized by a variance issued by the Township.

103 INTERPRETATION

The interpretation and application of the provisions of this Ordinance shall be held to be minimum requirements for the promotion of the public health, safety and welfare. Where the standards, regulations, or requirements imposed by any provision of this Ordinance are either more or less restrictive than comparable standards, regulations, or requirements imposed by any other ordinance, rule, or regulation of the Township, County, State or Federal government, the statute, ordinance, rule, or regulation which imposes the more restrictive condition, standard, regulation or requirement shall prevail. In the event of any conflict between this Ordinance with any private restrictions, protections, or covenants, the provisions of this Ordinance shall be met. In their interpretation and application, the provisions of this Ordinance shall be liberally construed in favor of the Township and shall not be deemed a limitation or repeal of any other powers granted by state statute. References in this Ordinance to any statutes, rules, regulations, or ordinances shall include any amendments to, or successors of, those statutes, rules, regulations, or ordinances.

104 SEVERABILITY

This Ordinance and its various parts, sentences, paragraphs, sections, and clauses thereof are declared to be severable. If any part, sentence, paragraph, section, or clause is judged to be unconstitutional or otherwise invalid for any reason by a court of competent jurisdiction, then such finding shall not affect the remaining portions of this Ordinance.

105 ABROGATION AND GREATER RESTRICTIONS

This Ordinance is meant to be applied in conjunction with all other applicable federal, state, local or approved laws, rules, and regulations. It is not intended by this Ordinance to repeal, abrogate, or impair any existing easements, covenants or deed restrictions.

However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall prevail.

106 COUNTY REGULATIONS

Beltrami County has adopted shoreland regulations, wetland regulations, subdivision regulations, and administers the state regulations related to subsurface sewage treatment systems ("SSTS"). Those within the Township must comply with those County regulations in addition to the requirements of this Ordinance.

- A. SSTS Regulations. This Ordinance does not adopt, nor shall it be construed as adopting, any portion of the SSTS regulations regarding the design, location, construction, or maintenance of systems regulated by those regulations and the Township is not assuming any responsibility for the administration or enforcement of those standards.
- B. Subdivisions. Those proposing to subdivide property within the Township shall be subject to the Beltrami County Subdivision regulations. However, pursuant to Minnesota Statutes, section 505.09, subdivision 1a, the County may not approve the platting of any land within the Township unless the Town Board first approves the plat and the laying out of streets and other public ways shown on it. The Town Board may require, as a condition of any such approval, that the proposed subdivider or developer enter into a development agreement with the Town Board regarding any proposed public improvements and such issues as the Town Board may determine are needed in order to adequately protect the public health, safety and welfare.
- C. Shorelands. Those portions of the Township designated as shoreland areas by the County shall be regulated by the County pursuant to its applicable ordinances and any permits required in such areas shall be obtained from the County. Subdivisions proposed to be located within shoreland areas must obtain Township approval as provided in this Ordinance.
- D. Wetlands. The County has adopted wetland conservation regulations and serves as the local government unit for the purposes of the Wetland Conservation Act.

107 RELATIONSHIP TO COMPREHENSIVE PLAN

It is the policy of the Town Board that the enforcement, amendment, and administration of this Ordinance be accomplished with due consideration of, and consistent with, the Comprehensive Plan. The Town Board is responsible for determining how best to implement and achieve this policy.

108 NONCONFORMING USES AND STRUCTURES

A use or structure lawfully established, built, or placed prior to the effective date of this Ordinance that does not conform to this Ordinance, or subsequent amendment which made the use or structure nonconforming, may be continued, including through repair, replacement, restoration, maintenance, or improvement, at the size and in the manner of

operation existing upon such date of nonconformance, subject to the requirements of this section.

- A. Regulation of Nonconforming Uses and Structures. A nonconforming use may not be expanded, enlarged, intensified, replaced, structurally changed, or relocated except as needed to make it conforming under this Ordinance. Prohibited expansions, enlargements or extensions shall include anything that increases the intensity of the use including, but not limited to, a change to a more intense nonconforming use, a physical expansion of the existing use that increases the height, volume, or area dimensions of the nonconforming use, or an addition or expansion that creates, expands, or increases the nonconforming aspect, feature, or condition of the structure. Nothing in this Ordinance prohibits regular maintenance activities or making reasonable improvements to improve safety or livability of an existing structure. Nonconforming structures may be allowed to be improved without obtaining a variance if the improvement does not increase or intensify the aspect of the structure that makes it nonconforming. Shoreland areas are regulated by the County and nonconforming shoreland lots are subject to the provisions of the County ordinance addressing nonconformities.
- B. Discontinuation of Nonconforming Uses and Structures. Nonconforming use of land or structures must cease, or must be brought into compliance with this Ordinance, if:
1. The nonconforming use of the land, or the use of a nonconforming structure, is discontinued for twelve (12) or more consecutive months;
 2. If the nonconforming structure is removed; or
 3. The building or structure is destroyed by fire or other peril to the extent of greater than 50 percent of its market value as indicated in the records of the County Assessor at the time of damage and no permit to reconstruct it has been applied for within 180 days of when the property is damaged. If a permit is applied for within 180 days, the Township may impose reasonable conditions upon any such permit in order to mitigate any newly created impact on adjacent property.

109 SUBSTANDARD LOTS OF RECORD

- A. Buildable. A lot of record established and recorded with the County Recorder prior to enactment of this Ordinance that does not contain sufficient area to be buildable under the requirements of this Ordinance shall be allowed as a building site, provided that:
1. The lot was created in compliance with official controls in effect at that time;
 2. The proposed land use is an allowed land use in the land use district;
 3. The lot has been in separate ownership from abutting lands at all times since it became substandard;

4. All sewage treatment and setback requirements of this Ordinance are complied with; and
5. A land use permit is obtained from the Zoning Administrator as well as any other permits required by other agencies and the building or structure being built complies with the requirements of this Ordinance.

B. Rebuilding Structures. Any substandard lot which has a structure, including a building or dwelling, existing on the effective date of this Ordinance may be rebuilt if the structure is destroyed, including if it is destroyed by 50 percent or more of its value. The new structure shall meet setback requirements and comply with all other regulations and requirements in effect at the time of construction including, but not limited to, SSTS rules. If the previous structure was nonconforming, it can be rebuilt provided the new structure does not exceed the size (footprint) of the previous structure, unless the structure can be made conforming by relocating it on the lot. A land use permit shall be required before the structure may be rebuilt. If the previous structure was nonconforming, a land use permit must be obtained from the Township within one year from when it was destroyed unless the Town Board approves an extension to the permit period.

ARTICLE II LAND USE DISTRICTS

201 LAND USE DISTRICTS

In order to guide the wise development and utilization of land for the preservation of water quality, natural characteristics, economic values, and the general health, safety and welfare, the lands and waters of the Township have been divided into the following land use districts. The boundaries of the land use districts are defined by the official Turtle Lake Township Zoning Map, which is hereby adopted and incorporated herein by reference.

The following land use districts are established within the Township:

- A. AGRICULTURAL/NATURAL ENVIRONMENT DISTRICT (AG).
- B. RESIDENTIAL DISTRICT (R).
- C. COMMERCIAL DISTRICT (C)

The uses allowed within each of these land use districts are set out in the table attached hereto as **Appendix A**, which is incorporated in and made part of this Ordinance. The table identifies all of the uses allowed in each of the land use districts and classifies each of those uses as being permitted (**P**), conditional (**C**), interim (**I**), or not permitted (**N**). Uses identified with a (**P**) are allowed in the particular land use district as permitted uses and may require a land use permit from the Township. Uses identified with a (**C**) are allowed in the particular land use district as conditional uses and require the owner to obtain a conditional use permit from the Township. Uses identified with an (**I**) are allowed in the particular land use district as interim uses and require the owner to obtain an interim use permit from the Township. Uses identified with an (**N**) are not permitted within the particular zoning district. All uses not expressly identified in the table as being allowed within a land use district are prohibited unless the Town Board finds a particular use to be substantially similar to an allowed use in the particular land use district in accordance with the procedure set out in this Ordinance for making such a determination.

202 AGRICULTURAL/NATURAL ENVIRONMENT DISTRICT (AG)

The purpose of the Agricultural/Natural Environment District is to reserve areas suitable for general agriculture and rural residences and to protect these areas from encroachment by concentrated residential, commercial, industrial, and other conflicting uses.

203 RESIDENTIAL DISTRICT (RD)

The purpose of the Residential District is to reserve areas suitable for residential development and to protect these areas from encroachment by commercial, industrial, and other conflicting uses.

204 COMMERCIAL DISTRICT (C)

The purpose of the Commercial District is to centralize service facilities for recreational or commercial uses to enhance the economic growth potential of those areas suitable for commercial development.

205 ACCESSORY STRUCTURES AND USES

Accessory structures and uses are permitted in all of the land use districts, provided they comply with all of the following:

1. All accessory structures and uses must be additional, and clearly incidental, to the established permitted principal use of the property, and may include structures such as garages and sheds;
2. Recreational facilities must serve the principal use on the same property; and
3. The operation and storage of vehicles, equipment, and machinery must be incidental to the permitted principal use on the property.

206 SUBSTANTIALLY SIMILAR USES

An owner proposing a use not expressly allowed by this Ordinance in the particular land use district believing it is substantially similar to an allowed use in the same land use district may seek a determination from the Town Board as to whether the use will be allowed as constituting a substantially similar use. The owner must submit an application to the Township that fully explains the proposed use and how it is similar to an allowed use in the same land use district. The Town Board shall determine whether the use is substantially similar and, if so, whether the use shall be deemed a permitted, conditional, interim, or accessory use for the purpose of this Ordinance. If a use is allowed as being substantially similar to an allowed use, the owners must apply for any permits or permissions consistent with the Town Board's classification of the use. If the Town Board determines the proposed use is not substantially similar, the owner may submit an application as provided herein to seek an amendment to the text of this Ordinance to expressly allow the use in the land use district.

207 ZONING MAP

The locations and boundaries of the primary land use districts established by this Ordinance are set forth on the official Turtle Lake Township Zoning Map ("Zoning Map") which is hereby adopted and incorporated herein by reference. The Zoning Map shall consist of two parts: first, a colored map delineating the zoning districts, current conditional uses, and interim uses; and secondly, a list of all properties in the Township by property description or Beltrami County tax parcel number that matches the Zoning Map and delineates which land use district the property is located. These documents together constitute the Zoning Map, shall be maintained by and in the office of the Town Clerk, and shall be available for public review upon reasonable request. The Town Board shall decide any questions regarding district boundaries or the district in which a particular property is located.

ARTICLE III SANITARY PROVISIONS

301 WATER SUPPLY STANDARDS

All public or private water supplies for domestic purposes are regulated by the Minnesota Department of Health and the Minnesota Pollution Control Agency. All necessary permits must be obtained from those regulatory agencies and all wells in the Township need to comply with all applicable regulations.

302 SEWAGE DISPOSAL

The individual sewage treatment systems are regulated by standards established by the Minnesota Pollution Control Agency, which are administered by the Beltrami County Office of Environmental Services. Any premises used for human occupancy must be provided with an adequate method of sewage treatment. All necessary permits must be obtained and all septic systems must comply with all applicable regulations.

303 WASTE MANAGEMENT

Solid or hazardous waste landfills or sewage lagoons are not allowed in any land use district. The introduction of sewage from sources outside of the Township is not allowed.

ARTICLE IV ZONING PROVISIONS

401 MINIMUM LOT AREA AND WIDTH

- A. New Lots. Except as otherwise specifically provided in this Ordinance, no new lot shall be created by plat, metes and bounds, or otherwise which does not meet the minimum dimensional requirements of this Ordinance. The establishment of more than 3 lots per government lot or quarter-quarter section (forty) may only occur through platting.
- B. Determining Lot Area. For the purposes of determining compliance with the minimum lot area required by this Ordinance to erect or place a dwelling on a lot, the acreage shall include those portions of the lot covered by road, driveway, drainage, or utility easements.
- C. Reducing Lot Sizes. Except as allowed by variance, no lot area shall be reduced or diminished so that they are smaller than prescribed herein, nor shall the number of dwelling units be increased, except in conformity with the lot size requirements of this Ordinance. The area of any lot shall not be reduced below the minimum standards specified herein.
- D. Minimum Lot Size, Width, and frontage. The minimum required lot size in each land use district shall be as follows: 5 acres in the Agricultural-Natural Environment District; 2½ acres in the Residential District; and 5 acres in the Commercial District. In platted subdivisions located outside of shoreland areas, the minimum required lot size in all zoning districts shall be 2½ acres and each lot being created shall contain a minimum buildable area of at least 45,000 square feet, excluding all portions of the lot on steep slopes, within setback areas, and that are covered by wetlands or easements. All lots shall have a minimum width of 165 feet at the roadway.
- E. Design Criteria. Structures must be placed, and lots developed, in accordance with the design criteria in this Ordinance.

402 SETBACK REQUIREMENTS

All structures and buildings built or placed on property shall be located so as to comply with the following setback distances: 50 feet from the nearest edge of a state highway right-of-way; 30 feet from the nearest edge of a county road or highway right-of-way; 30 feet from the nearest edge of a township road or 60 feet from the center of the traveled surface, whichever is longer; and 10 feet from all property lines. If more than one setback distance applies, structures must be located so as to comply with all applicable setbacks.

403 HEIGHT OF STRUCTURES

All structures, except churches and agricultural structures, exceeding thirty-five (35) feet in height as measured from the normal lay of the land to the top most portion of the structure shall not be placed or built unless a conditional use permit is first obtained for the Township.

404 GUEST COTTAGES

One guest cottage may be permitted in the Residential District, provided the following additional minimum standards are met:

- A. Coverage. A guest cottage shall not cover more than seven hundred (700) square feet of land surface and shall not exceed fifteen (15) feet in height unless such structure is located above a garage or other accessory structure. If located above an accessory structure, then the maximum height of the structure shall be twenty-five (25) feet.
- B. Sanitary Facilities. If sanitary facilities are provided to a guest cottage, then the septic/sewer system shall be sized for year-round, full occupancy, and shall be installed in accordance with all applicable regulations. The sanitary facilities for the guest cottage shall not be connected to the septic system used by the dwelling on the property unless expressly approved by the County and then only in accordance with all applicable regulations.
- C. Lot Size. A guest cottage may not be placed on any lot that does not comply with the minimum lot size requirements contained in this Ordinance.
- D. Setbacks. A guest cottage must be located so as to comply with all setback requirements.

405 HIGH WATER ELEVATIONS

All structures shall be situated in accordance with any floodplain regulations applicable to the site. Where such controls do not exist, the elevation to which the lowest floor, including basement, is placed or flood-proofed, shall be at least three feet above normal high ground water table before a building or occupancy permit can be granted. The applicant for the permit shall supply such site suitability data proving the depth to ground water table to the Zoning Administrator as part of the permit application. The Zoning Administrator shall make a determination if the permit can be granted.

406 SIGNIFICANT HISTORIC SITES

No permits shall be issued for a location deemed to be a significant historic site for actions which in any manner may directly or indirectly affect the historic value of the site unless adequate information about the site has first been properly obtained and artifacts properly removed or documented in a public repository.

407 STEEP SLOPES

No construction of structures, sewage treatment systems, roads, driveways or other improvements shall be undertaken on steep slopes which will cause substantial or long term soil erosion. If such erosion is anticipated or occurs the Township may require a soil erosion management plan as part of the permitting process.

408 PUBLIC NUISANCES

The uses, conditions, or circumstances listed in this section threaten the health, safety, and welfare of the community and are therefore deemed a public nuisance. It is prohibited under this Ordinance for any person to, through their actions or failure to act, create, maintain, allow to exist or exacerbate any use, condition, or circumstance designated a public nuisance in this Section.

- A. Unlicensed or Inoperable Vehicles. To allow two or more vehicles on property within a plat, or four or more vehicles on property outside of plat, unless such vehicles have a current license attached thereto, are operable and capable of moving by their own power, or are stored in an enclosed building. For the purposes of this paragraph, a vehicle is defined as a self-propelled vehicle (automobile, truck, or camper) or trailer requiring a license to operate on the public highway. The term does not include all-terrain vehicles, snowmobiles, dirt bikes, or similar recreational vehicles.
- B. Outdoor Storage. The outdoor storage or accumulation of litter, trash, junk, or debris on property including, but not limited to, items such as inoperable machinery, inoperable equipment, equipment or machinery parts, dilapidated trailers, dilapidated manufactures homes or campers, yard debris, trash, indoor furniture, land clearing debris, and any broken or discarded items or materials. This prohibition applies regardless of whether the items stored or accumulated are hazardous as such storage or accumulation of the identified items is declared a public nuisance.
- C. Nuisance Conditions. No noise, odors, vibration, smoke (excluding wood heating devices), air pollution, liquid or solid wastes, heat, glare, dust or other such adverse influences shall be permitted in any district that will in any way have an objectionable effect upon adjacent or nearby property. All wastes in all districts shall be disposed of in a manner that is not dangerous to public health and safety.
- D. Correction and Collection of Costs. An owner or occupant who creates, maintains, allows to exist, or exacerbates a use or condition classified as a public nuisance under this Ordinance shall be required to correct such condition upon written notice from the Township. If the owner or occupant fails to correct the condition within the time indicated in the written notice, the Township may take action to correct the condition. If the Township determines the use or condition creates an immediate threat to public safety such that there is not sufficient time to provide written notice, the Township will make a good faith attempt to contact the owner or occupant to correct the situation, but the Township may act immediately to address the public safety concerns as it determines is appropriate. The owner and occupant shall be

responsible for fully reimbursing the Township for all costs it incurs to correct the condition and to repair any damage caused to a Township right-of-way resulting from the condition or action. The Township shall provide the owner or occupant a written statement of the costs incurred and, if the owner or occupant fails to fully reimburse the Township, the Township may collect all such costs as an unpaid service charge on the property pursuant to Minnesota Statutes, section 366.012 or may pursue such other methods of recovering its costs as are available to it under law.

ARTICLE V PERFORMANCE STANDARDS

501 EXTRACTIVE USES

Extractive uses with excavations larger than five acres in sizes, or that are conducted as a commercial enterprise regardless of size, shall be required to obtain a conditional use permit from the Township and shall be subject to all requirements of this Ordinance, including extractive use information requirements and the following standards:

- A. Setbacks. Extraction areas shall meet the following minimum setback requirements.
 - 1. Extractive uses are not allowed within five hundred (500) feet of river or stream and one thousand (1000) feet of a lake.
 - 2. Extractive uses are not allowed within three hundred (300) feet of a residential structure.
 - 3. Extractive uses are not allowed within one hundred fifty (150) feet of public road rights-of-way.

- B. Management Considerations. Extractive uses shall meet the following management considerations designed to maximize the extractive uses compatibility with adjacent land uses.
 - 1. Extractive uses adjacent to residences or public roads may be required to be screened by natural vegetation or a fence to minimize visual, noise and dust.
 - 2. Weeds and other unsightly or noxious vegetation shall be controlled in accordance with State of Minnesota and Beltrami County noxious weed laws to prevent seeding of adjoining property.
 - 3. No dumping or storage of refuse, demolition waste, trees, asphalt, metal, waste oil, or any other waste material or source of pollution is allowed. The conditional use permit may allow for the hauling in and storage of certain materials on the property, but only to the extent such activities are expressly allowed by the permit and then only in compliance with all limitations imposed on such activities.
 - 4. Extractive and related operations shall not interfere with surface water drainage beyond the boundaries of the site. An extractive operation shall not adversely affect the quality of surface or subsurface water resources. Surface water originating outside and passing through the site shall, at its point of

departure from the site, be of equal quality to the water at the point of entry to the site. The excavation operator shall perform any water treatment necessary to comply with this provision.

5. All access roads from extractive use operations to public highways, roads or streets, or to adjoining property, shall be paved, surfaced or treated to minimize dust conditions through activities such as regular watering or similar effective procedure. Processing machinery shall be located, consistent with setback standards for structures.

C. Security and Safety. Extractive uses shall meet the following security and safety requirements:

1. All access to extractive uses is required to be controlled for safety reasons by vegetation or fence and road accesses shall have an appropriate gate.
2. Equipment used for excavation operations shall be constructed, maintained and operated so as to conform to the applicable provisions of Minnesota Rules, Chapter 7011, and in a manner as to minimize noises and vibrations injurious or substantially annoyance to neighboring residences.
3. All buildings and structures used for the production of sand and gravel shall be maintained as is practical and according to acceptable industrial practice to assure that such buildings and structures shall not become dangerously dilapidated.
4. Hours of operation shall not conflict with surrounding land uses.
5. Lighting shall not conflict with neighboring land uses.
6. Access to public roads shall not create a safety hazard. Adequate vegetative clearing to achieve safe sight line for traffic shall be maintained.

502 EXTRACTIVE USES: INFORMATION REQUIREMENTS

- A. Extractive uses, if allowed, shall be permitted by conditional use permit.
- B. An applicant for a conditional use permit for an extractive use shall, if required by the Township, provide, as part of the application, the following information:
 1. A schedule of periodic reports demonstrating conformity to law and to the conditional use permit shall be submitted to the Zoning Administrator on an agreed schedule established by the Town Board in the conditional use permit.
 2. Maps prepared by a licensed land surveyor or licensed civil engineer showing existing conditions, proposed operations and end use with a reclamation plan. Maps shall include the site and all areas within one-half (1/2) mile and be at a scale of one inch to one hundred feet and shall include the following information, at a minimum:
 - a. Existing conditions, including five (5) foot contour lines, soil conditions, vegetation, drainage, wetlands, structures, wells and existing and proposed roads.

- b. Proposed operations, including location of materials to be extracted, proposed structures, location of machinery to be used, location of tailing deposits and material storage showing maximum heights, vehicle parking, explosives storage, location or erosion and sediment control structures.
 - c. End use of the excavation site, to include final grades showing elevations and five (5) foot contours, location and species of vegetation, location and nature of proposed structures, together with an estimate of cost to implement and the provision of security adequate to the Township to ensure performance.
- 3. A soil erosion and sediment control plan.
 - 4. A plan for noise and dust control.
 - 5. A full description of all phases of the proposed operation, including the expected duration of the excavation operation.
 - 6. Any other information that is deemed to be reasonably necessary to the consideration and decision of the application.

503 MOBILE HOME PARKS

A conditional use permit is required to establish a mobile home park.

- A. In order that a mobile home park may be harmonious within itself and with the surrounding area, the following performance standards shall be met and a mobile home park may be conditionally permitted if:
 - 1. Adequate provision for storm water and surface drainage control is established.
 - 2. All areas not used for access, parking, circulation, buildings and service shall be landscaped and the entire area shall be kept well maintained.
 - 3. Mobile homes are a minimum of eight hundred (800) square feet of living space.
 - 4. The minimum distance between mobile homes shall be forty (40) feet, including attachments.
 - 5. The density of mobile homes within a mobile home park shall not exceed one mobile home per 9,000 square feet of land.
 - 6. Within a mobile home park, a fifteen (15) foot green belt shall be maintained along all exterior boundary lines not bordering a public street.
 - 7. Mobile home parks shall meet all requirements of the Minnesota Department of Health and shall be licensed accordingly.
 - 8. Additions to mobile homes, such as rooms, decks and entryways, are to be considered as part of the mobile home structure, and shall not violate setbacks.
 - 9. Mobile home park septic systems shall be designed for Class I dwellings.
 - 10. Separate structures not attached to mobile homes require a land use permit from the Township before commencing construction.

504 PLACEMENT AND DESIGN OF ROADS, DRIVEWAYS, PARKING AREAS AND BOARDWALKS

- A. Permits. All roads constructed by developers or owners with the intent of dedicating them to the Township shall be constructed in accordance with the Township's applicable standards, the requirements of all applicable Township ordinances, regulations, and policies as well as the provisions of the development agreement affecting the road. No such road shall be opened and maintained by the Township as a town road until the Town Board adopts a resolution expressly finding the road is sufficiently constructed and is accepted and opened as a town road. A permit must be obtained from the Township before constructing a private road or driveway access onto a town road. The Township may place conditions on such access permits as it determines reasonably necessary. Such conditions may include, but are not limited to, requirements related to the type and size of culvert to be installed, location of the access, construction standards, headwall limitations, and such other requirements as needed to address terrain, drainage, traffic, and safety considerations.
- B. Wetlands. Access across wetlands is permitted by the Township if the proposed construction has first obtained approval for compliance with the Beltrami County Wetlands Conservation Ordinance and the Minnesota Wetlands Conservation Act.
- C. Design. Public and private roads and parking areas shall be designed to take advantage of natural vegetation and topography to achieve maximum screening from view from public waters. Documentation shall be provided by a qualified individual that all roads and parking areas are designed and constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.

505 TELECOMMUNICATION TOWERS

All Telecommunication Towers require a conditional use permit from the Township. Any roads damaged by the construction of any tower shall be brought back into standards by the entity that the tower permit was issued to.

506 ADULT ORIENTED BUSINESSES

All adult oriented businesses shall comply with the Beltrami County Ordinance for Adult Oriented Businesses.

ARTICLE VI SUBDIVISION OF LAND

601 SUBDIVISIONS

The purpose of this Article is to establish procedures and requirements for the subdivision of land in the Township. The Beltrami County Subdivision Controls Ordinance (Ordinance No. 5) are the primary regulations governing the subdivision of land in the Township. It is in the best interest of the Township to establish additional subdivision regulations which are as strict or stricter than the County's regulations. Township subdivision regulations are not intended, nor shall they be construed as, a waiver of any subdivision regulations or requirements imposed by the County.

Town Board approval is required before anyone may subdivide or plat land within the Township. Because the Township has a planning commission, the County is prohibited from approving any plat of land in the Township unless the Town Board approves the plat. The approval shall be endorsed on the plat and signed by the chair of the Town Board. Minnesota Statutes, section 505.09, subd. 1a. This Article sets out the procedures and requirements that must be complied with in order for a developer to obtain Town Board approval for a plat.

602 COMPLIANCE

Any subdivision of land must comply with this Ordinance, Beltrami County Subdivision Controls Ordinance (Ordinance No. 5), and the laws of the State of Minnesota. Subdivision methods addressed by this Ordinance are lot line adjustments, minor subdivisions, and major subdivisions. Subdivisions shall occur by plat or a certificate of survey, unless all new and resulting lots contain no less than 5 acres, have a minimum building area of 45,000 square feet, and are regular lots in that they can be described by using an aliquot part of a section. From the effective date of this Ordinance, no lot line adjustment, minor subdivision, or major subdivision shall be recorded in the office of the County Recorder unless it is accompanied by written approval from the Town acknowledging that it occurred in compliance with this Ordinance.

603 LOT LINE ADJUSTMENTS

A lot line adjustment is the division of land made for the purpose of adjusting boundary lines of parcels of land to an abutting lot or to otherwise exchange property between adjacent lots which does not create new lots, tracts, parcels or sites and does not create any lot, tract, parcel or site which contains insufficient area and dimensions to meet minimum requirements for width, lot size, and area for building as required by Ordinance. Newly acquired land must be combined on the same deed for recording purposes as the remainder of the owner's property.

- A. Application. An owner proposing to undertake a lot line adjustment must submit a complete application to the Township together with the applicable fees. The owner must submit a certificate of survey showing the lot line adjustments and providing the legal descriptions of the altered parcels with the application in order for the application to be considered complete.

- B. Procedure. Complete applications must be submitted to the Zoning Administrator to determine if it is complete. If it is not complete, the Zoning Administrator will inform the applicant in writing what additional information is needed. The Zoning Administrator shall forward complete application packets to the Town Board for review and a decision. The decision of the Town Board on the application is final and no review or recommendation by the Planning Commission is required. If the lot line adjustment is approved, the Town Board will send a letter to the County Recorder indicating its approval.

604 MINOR SUBDIVISION

A minor subdivision is the division of a single parcel into up to three parcels. A minor subdivision may be accomplished by means of a certificate of survey or a plat. Any subdivision of a parcel proposing to establish or dedicate a new public road, or that involves the further division of a parcel that was previously subdivided into two or three parcels, must be platted in the same manner as a major subdivision.

- A. Application. An applicant for a minor subdivision must submit a complete application to the Township together with the applicable fees. If the subdivision will occur by plat, the applicant must submit the additional information required of an application for a major subdivision. If the subdivision will occur by a certificate of survey, the applicant must submit the certificate of survey as required by the Beltrami County subdivision regulations. Included shall be the legal property description of the property to be subdivided as well as legal property descriptions of the proposed tracts.
- B. Procedure. Complete applications shall be submitted to the Zoning Administrator. If the application is not complete, the Zoning Administrator will inform the applicant in writing of what additional information is needed. The Zoning Administrator shall forward the complete application to the Planning Commission for review. The Planning Commission may elect to, but is not required to, hold a public hearing on the proposed minor subdivision. The Planning Commission shall forward its recommendation regarding the proposed subdivision to the Town Board with any findings and comments it develops to support its recommendations. The Town Board shall then act on the application and its decision is final. If the subdivision is approved, the Town Board will send a letter to the County Recorder indicating its approval.

605 MAJOR SUBDIVISION

A major subdivision is the division of land of a single parcel into four or more parcels. A major subdivision may only be accomplished by means of a plat that complies with the requirements of Minnesota Statutes, chapter 505 and all other applicable federal, state and local laws, rules, regulations, and ordinances.

- A. Application. An applicant must submit a complete application to the Town Board together with the applicable fees. The applicant shall submit the following information for the application to be considered:
1. Seven copies of the preliminary plat;
 2. Seven copies of all proposed restrictive covenants or other restrictions which will be imposed upon the purchasers of the lots and upon their heirs and successors;
 3. Disclose in writing any conditions that exist within the proposed plat which might limit development, such as flooding, inadequate drainage, soil conditions, rock formations, topography, erosion potential, inadequate water supply, inadequate sewage disposal capability, density limitations, or other reasons that would limit property use; and
 4. Accurate legal descriptions and acreages of the properties being subdivided and the legal description and acreage of any remaining portion of the property not included in the plat.
- B. Preliminary Plat Process. Complete applications must be submitted to the Zoning Administrator. If not complete, the Zoning Administrator will inform the applicant in writing of what additional information is needed. The Zoning Administrator shall forward the complete application to the Planning Commission for review. The Planning Commission may elect to, but is not required to, hold a public hearing on the proposed major subdivision. The Planning Commission shall develop and forward its recommendations to the Town Board regarding the preliminary plat together with any findings to support its recommendations. The Town Board shall review the plat and recommendations and approve, deny or table the preliminary plat. The Town Board may place conditions on its approval of the preliminary plat including, but not limited to, requiring a developers and/or road agreement with the Township. The Town Board shall forward its decision, with any supporting findings, to the Beltrami County Office of Environmental Services. An applicant shall not be allowed to request approval of the final plat until the Town Board has approved the preliminary plat, unless the Town Board has indicated it is willing to consider granting preliminary and final plat approval as part of the same action.
- C. Final Plat Process. An applicant that has received preliminary plat approval from the Township and the County, and satisfied all conditions of the Township imposed on its approval of the preliminary plat, may request approval of the final plat. The request for final plat must be in writing submitted to the Town Clerk with seven copies of the final plat. The Town Clerk shall forward the request and plats to the Town Board for review and action. The Town Board may impose conditions on its approval of the final plat. The Town Board will forward its approval of the final plat, together with conditions, to the County Environmental Services Office.

1. Authorization to Sign Plat. Unless stated otherwise, the Town Board's approval of the final plat authorizes the Town Chairperson to sign the final plat once all of the conditions imposed on the plat are satisfied, including any development or road agreement that is fully executed and in the Township's possession.
2. Form of Approval. The language used on the final plat to indicate the Town Board's approval must be substantially as follows:

"The Town Board of Turtle Lake Township, Beltrami County, Minnesota approved this plat on the _____ day of _____ as required by Minnesota Statutes, section 505.09, subdivision 1a. The Town makes no representations, expressed or implied, as to the suitability of any lot or other element within the plat for any particular purpose. Separate approval by the Town Board is required before the Town Board will open or maintain any roads or other easements dedicated to the public in this plat.

Turtle Lake Township Chairperson"

606 DEDICATIONS OF ROADS BY PLAT

The Town Board's approval of a plat containing roads or other ways or easements dedicated to the public does not constitute a decision by the Township to open and maintain those roads, ways, or easements. The approval is limited to the plat itself and separate approval by the Town Board is required before the Township will open and maintain any platted roads as part of its system of publically maintained Township roads. It is the responsibility of the subdivider to construct and pay for all roads, storm water ponds, and other drainage structures, and other improvements within those lands dedicated to the public in accordance with the Township's specifications and requirements as a condition of plat approval. The Township may require a development or road agreement to provide further details regarding the required improvements and identify the procedures and conditions under which the Township will be willing to open and maintain a platted road. It is the responsibility of the developer or property owners within the plat to maintain a platted road until the Town Board determines by resolution that it is sufficiently built and satisfies such other conditions of acceptance the Town Board may require to be opened and maintained as part of the Township's system of publically maintained town roads.

607 GENERAL REQUIREMENTS

The following apply to the subdivision of land in the Township and must be complied with when applicable.

- A. Minimum Lot Size. All lots in a plat must contain a minimum of 45,000 square feet of contiguous land that is not Type 1-8 wetlands.
- B. Surveys. All certificates of survey and plats must be prepared by a surveyor licensed by the State of Minnesota.

- C. Pre-plat Meeting. The Township may require a developer proposing a major subdivision to participate in a pre-plat meeting with the Township if they feel that circumstances have changes sufficiently to warrant another pre-plat meeting, unless the Township determines that the pre-plat meeting with the County is adequate.

608 DEVELOPMENT AND ROAD AGREEMENT

The Township may require the owner or developer to enter into an agreement with the Township as a condition of any approval under this Article. If such agreement is required, it shall be recorded in the office of the County Recorder at the owner's cost and constitute a covenant on the property.

- A. Title and Recording. The owner who subdivides their property is solely responsible for developing such legal descriptions and deeds as may be required, recording the resulting parcels in the County Recorder's office, obtaining new tax parcel numbers, and for otherwise complying with State and County requirements to complete and record the subdivision of the property.
- B. Township Costs. In addition to paying the required application fee, a subdivider is also responsible for fully reimbursing the Township for its actual costs associated with its review and action on the subdivision. Actual costs include inspection and administrative costs, recording costs, and all professional fees and other costs it may incur, regardless of whether the subdivision is approved or denied.

609 PLANNED UNIT DEVELOPMENTS

Residential PUDs require a conditional use permit by this Ordinance and in must meet the requirements of the Beltrami County Subdivision Ordinance and other applicable state and federal laws.

- A. Standards. Planned unit developments shall meet or exceed the standards as required by the Beltrami County Ordinance, with respect to Residential Planned Unit Developments (RPUD) and Commercial Planned Unit Developments (CPUD); collectively Planned Unit Developments (PUD).
- B. Development Agreement. PUDs require the execution of a development agreement between the developer and the Turtle Lake Town Board.
- C. Procedures and Standards. The Procedures and Standards for planned unit developments are set forth in Beltrami County Ordinances.

ARTICLE VII ADMINISTRATION

701 ADMINISTRATION

This Ordinance shall be administered as follows:

- A. Town Board. The Town Board shall conduct such business as is required of it by this Ordinance and shall hear and decide all recommendations from the Planning Commission and the Board of Adjustment, shall interpret any land district boundary shown on the Zoning Map, and interpret this Ordinance. Such interpretations shall be final.
- B. Planning Commission. A planning commission consisting of up to five (5) voting members, up to two of which may be Town Board members, shall be appointed by the Town Board, shall serve until a successor is appointed and qualifies, consistent with Minnesota Statutes as made and provided therefore, and shall act as described in this Ordinance. The Planning Commission members shall receive such compensation as the Town Board may, from time to time, determine. Planning Commission members may be removed by a vote of the Town Board at any time for any reason.

The Planning Commission shall elect a chair from among its members every two years. The Zoning Administrator shall act as secretary/clerk for the Planning Commission and shall be a non-voting member, but entitled to participate with the Planning Commission. The Planning Commission shall:

1. Assist the Town Board in the formulation of goals, policies and programs for the future development of the Township;
 2. Assist the Town Board in the preparation of development controls designed to promote development consistent with adopted goals and policies, including those of natural resource protection and preservation;
 3. Review applications for conditional use permits, interim use permits, zoning amendments and subdivision proposals for compliance with the provisions of this Ordinance, conduct public hearings in accordance with the provisions of this Ordinance, and make recommendations to the Town Board; and
 4. The Planning Commission shall perform such other duties as are required of it by this Ordinance or as may be requested of it by the Town Board to further the goals, policies, and intent of this Ordinance.
- C. Board of Appeals and Adjustments. A board consisting of five (5) voting members, up to two of which may be Town Board members, shall serve as the Township's Board of Appeals and Adjustments ("Board of Adjustment"). The Board of Adjustment is advisory to the Town Board. Members of the Board of Adjustment shall be appointed by the Town Board and shall perform all duties as provided in law and in this Ordinance. The Board of Adjustment members shall receive such compensation as the Town Board may, from time to time, determine. The Board of Adjustment shall review, hold hearings and advise on applications

for variances under the terms of this Ordinance. An appeal of an administrative decision made in the administration or enforcement of this Ordinance may be made by submitting a notice of appeal to the Zoning Administrator within fourteen (14) days of the administrative decision or action being appealed. Such variance request or appeal shall be heard by the Board of Adjustment and it shall make its recommendation to the Town Board, which will make the final decision.

D. Zoning Administrator. The Zoning Administrator shall be appointed by the Town Board and shall receive such compensation as the Town Board may, from time to time, determine. The Town Clerk, or other person appointed by the Town Board, shall act as secretary/clerk to the Zoning Administrator, and where filing, service, or notice is required by this Ordinance, or where other actions are required with respect to the Zoning Administrator, said actions may be taken through the office of the designated secretary. The Zoning Administrator shall:

1. Inspect all construction and development to ensure that the standards of this Ordinance are complied with;
2. Enforce and administer the provisions of the Ordinance;
3. Issue permits for permitted uses and/or activities which comply with the provisions of this Ordinance;
4. Receive applications as provided in this Ordinance, determine if they are complete, provide written notice of the additional information if an application is not complete, and then forward them along with recommendations, to the appropriate entity;
5. Assist the secretary/clerk in maintaining all records relating to the application for and deliberations regarding issuance or denial of permits and other requested relief;
6. Develop and maintain a public information system relating to Township land use;
7. Maintain the official Turtle Lake Township Zoning Map; and
8. Conduct other such activities as the Town Board may, from time to time, direct.

702 TRANSFER OF TITLE TO LAND

In the event that any public land in Turtle Lake Township is transferred into private ownership, then the Township shall initiate procedures to reclassify the property into the appropriate zoning district. To facilitate the proper reclassification of the property, the Township requests that all federal, state, and county government agencies notify the Town Clerk of the sale of publicly owned land.

ARTICLE VIII PERMITS

801 LAND USE PERMITS

- A. Requirements. No person shall excavate a basement, erect a foundation, build a structure, change the exterior perimeter of a building vertically or horizontally, move in a structure from another property, or alter the exterior of any building or structure, or part thereof, without first obtaining a land use permit from the Township. Any new or replacement well permits must be obtained from the Minnesota Department of Health and any new or replacement septic system permits must be obtained from Beltrami County Office of Environmental Services.
- B. Exceptions. The following structures shall not require a land use permit from the Township.
1. Construction of unenclosed decks, replacement of siding, doors, windows, roof, interior remodeling, patios, wells, or septic systems.
 2. Portable agricultural structures.
- C. Land Use Permit Applications.
1. Applications for all permits shall be made to the Zoning Administrator. Each permit application shall be on the form prescribed by the Township and shall be accompanied by such information as is required by this Ordinance.
 2. All Taxes pertaining to the parcel of land, for which the Land Use Permit is being requested, must be paid up to date.
 3. Evaluation of the application may include an on-site inspection by the Zoning Administrator.
 4. All land use permits shall expire one year from the date of approval unless an extension for extenuating circumstances is granted by the Town Board prior to expiration of the one-year period. Land use permits are transferable and run with the land.
 5. Conditions may be placed on land use permits issued by the Township.
 6. If a land use permit is not granted, then reasons for such denial shall be provided in writing to the applicant.
 7. Decisions made by the Zoning Administrator in administration or enforcement of this Ordinance may be appealed as provided in this Ordinance.
 8. An inspection of the construction site may be performed, as needed, by the Zoning Administrator at any time during construction.
 9. Land use permits must be displayed on the property during excavation and construction.
- D. Penalties. Any violation of the terms or conditions of a land use permit issued pursuant to this Ordinance, or of any provision of this Ordinance, may result in

the revocation of such permit or other enforcement action. Written notice of the violation shall be provided to the owner or occupant of the property before a land use permit is revoked.

802 CONDITIONAL USE PERMITS

- A. Application. As of the effective date of this Ordinance, no use classified by this Ordinance as a conditional use or as requiring a conditional use permit shall be initiated or expanded except upon issuance of a conditional use permit, or an amended conditional use permit, from the Town Board pursuant to this Ordinance. An applicant for a conditional use permit shall complete and submit to the Zoning Administrator an application for conditional use permit, together with the required fee.
- B. Information Requirements. An applicant may be required to furnish as part of the application, in addition to the information required for any other permit or variance being requested, the following as identified by the Zoning Administrator:
1. A plan of the proposed project area showing contours, soil types, ordinary high water level, ground water conditions, bedrock, slope and vegetative cover;
 2. The location of existing and proposed buildings, parking areas, traffic accesses, driveways, walk ways and open spaces;
 3. Plans of buildings, sewage treatment facilities, water supply systems and arrangements of operations;
 4. Specifications of grading, filling, dredging or other topographic alterations; and
 5. Any other information requested by the Town Board, Planning Commission, or Zoning Administrator;
- C. Hearing and Notice. Upon receipt of the established fees and completed conditional use permit application, a hearing will be scheduled before the Planning Commission. The Township shall publish notice at least ten (10) days prior to the hearing. Owners of adjacent properties shall be notified in writing by first class mail as to the time, place, and purpose of the hearing. Failure of any such property owner to receive such mailed notice shall not in any way affect the validity of the hearing or result thereof. Following the hearing, the Planning Commission shall forward the application to the Town Board with its recommendation of approval or denial together with its findings and recommended conditions if it recommends approval. The Town Board shall review the recommendation and make the final decision on whether to grant the requested permit and, if granted, the conditions placed on the permit.
- D. Considerations. In considering the granting of an application for a conditional use permit, the Zoning Administrator or the Planning Commission may conduct a site evaluation. In evaluating an application for a conditional use permit, the following information may be considered:

1. The maintenance of the public health, safety and welfare;
2. The prevention and control of water pollution, sedimentation, and nutrient loading;
3. Existing topography, drainage features, and vegetative cover;
4. The site location in respect to floodplains and floodways of rivers or tributaries;
5. The site's erosion potential based on the slope, soil type and vegetative cover;
6. The location of the site, with respect to existing and proposed access roads;
7. The site's compatibility with, and potential impacts on, adjacent land uses and properties;
8. Adequacy of the site for water supply and on-site sewage treatment systems;
9. Any other requirements or conditions prescribed in this Ordinance, or such other issues and information as deemed appropriate by the reviewing body; and
10. In evaluating each conditional use application, the Planning Commission or Town Board may request the assistance of the Beltrami Soil and Water Conservation District and other agencies and professionals to assist in evaluation and consideration of such application the costs of which shall be paid by the applicant.

E. Criteria and Standards. The following applies to conditional use permits:

1. Conditional use permits run with the land.
2. Conditional use permits shall be perpetual unless extinguished or revoked by the Town Board.
3. No conditional use permits shall be required of the Township or, to the extent they are exempt by law, other governmental entities.
4. The criteria and standards to determine whether to grant or deny an application for a conditional use permit include the following, in addition to any other considerations, criteria and standards specifically set forth in the Ordinance, to the extent determined applicable to the particular application:
 - a. Will the conditional use, if granted, be injurious to the use and enjoyment, property values of other property and the environment in the immediate vicinity?
 - b. Will the conditional use, if granted, impede the normal and orderly development of the surrounding vacant property for uses permitted in the area?
 - c. Whether adequate utilities, access roads, drainage and other necessary facilities and controls can be provided?
 - d. Whether adequate measures to prevent or control offensive odor, fumes, dust, noise, vibration, signage and lighted signage, scenic blight or other annoyances so that the use will not constitute a nuisance to adjoining landowners?

- e. Will the conditional use, if granted, be established and conducted in conformity with applicable setbacks and performance standards?
- f. Will the conditional use, if granted, provide for adequate parking and current and anticipated road use and adequately address road safety?

F. Conditions. Upon consideration of the criteria listed above, the Planning Commission, by its recommendation, and the Town Board, by its decision, may attach such conditions, as it deems necessary or appropriate to achieve the purposes of this Ordinance. The Planning Commission may recommend, and the Town Board may require, as conditions of approval, any of the following conditions:

- 1. Increased setbacks;
- 2. Specified sewage treatment and water supply facilities;
- 3. Landscaping and vegetative screening;
- 4. Periods and/or hours of operation;
- 5. Designate access points and haul routes;
- 6. Deed restrictions;
- 7. Type of construction; and
- 8. Any other reasonable requirements or limitations necessary to fulfill the purposes and intent of this Ordinance or to avoid or limit the potential negative impacts of the use.

G. Appeals. The Town Board's decision on a conditional use permit is final. An appeal of a Town Board's decision may be made to the District Court as provided in Minnesota Statutes, section 462.361.

H. Lapse of a Conditional Use Permit by Non-Use. If within one (1) year of the granting of a conditional use permit the work or use has not substantially begun, then such permit shall become null and void unless a written extension of time has been granted by the Town Board. Such extension shall be requested in writing and filed with the Township at least thirty (30) days before the end of the first year from the date of issuance. There shall be no charge for filing the request. The request for extension shall show a good faith attempt to complete the work or initiate the use permitted in the conditional use permit within the initial year. Such request shall be presented to the Planning Commission for a recommendation and then to the Town Board for a decision. The Town may only grant one extension per permit. If the work is not completed or the use not substantially begun within the extension period the permit shall become null and void. Upon lapse of a conditional use permit, the County Recorder shall be notified of the nullification of the permit.

I. Recording. Following approval of a conditional use permit, the Township shall record the permit with the Beltrami County Recorder after all fees have been paid.

- J. Violations. Any violation of the terms and conditions of a conditional use permit, or of the violation of any provision of this Ordinance relating to the subject matter of the permit, may result in the revocation of such permit. The Township shall provide notice to the owner and conduct a hearing before revoking a conditional use permit.

803 INTERIM USE PERMITS

- A. Application. As of the effective date of this Ordinance, no use classified by this Ordinance as an interim use shall be initiated or expanded except upon issuance of an interim use permit, or an amended interim use permit, from the Town Board pursuant to this section. Any use or uses and structures requiring the granting of an interim use permit may be permitted only after a hearing conducted by the Planning Commission and final action on the permit request by the Town Board. An applicant for an interim use permit shall complete and submit to the Zoning Administrator an application for interim use permit, together with the required fee.
- B. Information Requirements. An applicant may be required to furnish, as part of the application, in addition to the information required for any other permit or variance being requested, the following as identified by the Zoning Administrator:
1. The specific type and use of the proposed activity;
 2. A plan of the proposed project area showing contours, soil types, ordinary high water level, ground water conditions, bedrock, slope and vegetative cover;
 3. The location of existing and proposed building, parking areas, traffic access, driveways, walk ways and open spaces;
 4. Plans of buildings, sewage treatment facilities, water supply systems and arrangements of operations;
 5. Specifications for areas of proposed grading, filling, dredging or other topographic alterations;
 6. The duration of time over which the interim use will be constructed and operated; and
 7. Any other information requested by the Planning Commission, the Town Board, or Zoning Administrator.
- C. Hearing and Notice. Upon receipt of the established fees and completed interim use permit application, a hearing will be scheduled before the Planning Commission. The Township shall provide published notice at least ten (10) days prior to the hearing. Owners of adjacent properties shall be notified in writing by first class mail as to the time, place, and purpose of the hearing. Failure of any such property owner to receive such mailed notice shall not in any way affect the validity of the hearing or result thereof. Following the hearing, the Planning Commission shall forward the application to the Town Board with its recommendation of approval or denial together with its findings and

recommended conditions if it recommends approval. The Town Board shall review the recommendation and make the final decision on whether to grant the requested permit and, if granted, the conditions placed on the permit.

D. Considerations. In considering the granting of an application for an interim use permit, the Zoning Administrator or the Planning Commission may conduct a site evaluation. In evaluating an application for an interim use permit, the following information may be considered:

1. The maintenance of the public health, safety and welfare;
2. The prevention and control of water pollution, including sedimentation, and nutrient loading;
3. Existing topography, drainage features and vegetative cover;
4. The site location with respect to floodplains and floodways of rivers or tributaries;
5. The erosion potential of the site, based upon the degree and direction of slope, soil type and existing vegetative cover;
6. The location of the site, with respect to existing and proposed access roads;
7. The site's compatibility with, and potential impacts on, adjacent land uses and properties;
8. Adequacy of the site for water supply and on-site sewage treatment systems;
9. Any other requirements or conditions prescribed in this Ordinance, or such other issues and information as deemed appropriate by the reviewing body; and
10. In evaluating each interim use application, the Planning Commission or Town Board may request the assistance of the Beltrami Soil and Water Conservation District and other agencies and professionals to assist in evaluation and consideration of such application the costs of which shall be paid by the applicant.

E. Criteria and Standards. The following criteria applies to interim use permits:

1. Interim use permits expire on the date or the occurrence of an event as indicated in the permit;
2. Interim use permits may extinguish or may be revoked by the Town Board;
3. No interim use permits shall be required of the Township or, to the extent they are exempt by law, other governmental entities; and
4. The criteria and standards to determine whether to grant or deny an application for an interim use permit include the following, in addition to any other considerations, criteria and standards specifically set forth in the Ordinance, to the extent determined applicable to the particular application:
 - a. Does the use conform with this Ordinance?
 - b. Can the date or event that will terminate the use be identified with certainty?

- c. Will the use not impose additional costs on the public if it is necessary for the public to take the property in the future?
- d. Does the owner agree to the conditions to be placed on the permit?
- e. Will the interim use, if granted, be injurious to the use, property values or enjoyment of other property and the environment in the immediate vicinity?
- f. Will the interim use impede the normal and orderly development of the surrounding vacant property for uses permitted in the area?
- g. Whether adequate utilities, access roads, drainage and other necessary facilities and controls can be provided?
- h. Whether adequate measures to prevent or control offensive odor, fumes, dust, noise, vibration, signage and lighted signage, scenic blight or other annoyances so that the use will not constitute a nuisance to adjoining landowners?
- i. Will the interim use, if granted, be established and conducted in conformity with applicable setbacks and performance standards?
- j. Will the interim use, if granted, provide for adequate parking and current and anticipated road use and adequately address road safety?

F. Conditions. Upon consideration of the criteria listed above, the Planning Commission, by its recommendation, and the Town Board, by its decision, may attach such conditions, as it deems necessary or appropriate to achieve the purposes of this Ordinance. The Planning Commission may recommend and the Town Board may require, as conditions of approval, any of the following conditions:

- 1. Increased setbacks;
- 2. Specified sewage treatment and water supply facilities;
- 3. Landscaping and vegetative screening;
- 4. Duration and/or hours of operation;
- 5. Designate access points and haul routes;
- 6. Deed restrictions;
- 7. Type of construction; and
- 8. Any other reasonable requirements or limitations necessary to fulfill the purposes and intent of this Ordinance or to avoid or limit the potential negative impacts of the use.

G. Appeals. The Town Board's decision on an interim use permit is final. An appeal of a Town Board's decision may be made to the District Court as provided in Minnesota Statutes, section 462.361.

H. Lapse of an Interim Use Permit by Non-Use. If within one (1) year of the granting of an interim use permit the work or use has not substantially begun, then such permit shall become null and void unless a written extension of time has been granted by the Town Board. Such extension shall be requested in writing and filed with the Township at least thirty (30) days before the end of the first

year from the date of issuance. There shall be no charge for the filing of such a request. The request for extension shall state facts showing a good faith attempt to complete the work or initiate the use permitted in the interim use permit within the initial year. Such request shall be presented to the Planning Commission for a recommendation and then to the Town Board for a decision. The Town may only grant one extension per permit and if the Work is not completed or the use not substantially begun within the extension period the permit shall become null and void. Upon lapse of an interim use permit, the County Recorder shall be notified of the nullification of the permit if the permit was recorded.

- I. Recording of Interim Use Permits. Following interim use permit approval the Township may record the interim use permit with the Beltrami County Recorder.
- J. Violations. Any violation of the terms and conditions of an interim use permit, or of the violation of any provision of this Ordinance relating to the subject matter of the permit, may result in the revocation of such permit. The Township shall provide notice to the owner and conduct a hearing before revoking an interim use permit.

804 VARIANCES

Any person seeking to deviate from strict application of the official controls prescribed in this Ordinance may apply for a variance.

- A. Application Procedure. A request for a variance must be made on the Township's application form and must be submitted to the Zoning Administrator. If the application is complete and the applicable fees paid, the Zoning Administrator shall forward the application to the Board of Adjustment and the Planning Commission. The Planning Commission may review and develop a report regarding the application. If the Planning Commission does develop a report, it shall forward it to the Board of Adjustment prior to the hearing.
- B. Hearing and Notice. Upon receipt of the established fees and completed Variance Application, a hearing will be scheduled before the Board of Adjustment. The Township shall provide published notice of the hearing at least ten (10) days prior to the hearing. Owners of adjacent properties shall be notified in writing by first class mail as to the time, place and purpose of the hearing. Failure of any such property owner to receive such mailed notice shall not in any way affect the validity of the hearing or result thereof. Following the hearing, the Board of Adjustment shall forward the application to the Town Board with its recommendation of approval or denial together with its findings and recommended conditions if it recommends approval. The Town Board shall review the recommendation and make the final decision on whether to grant the requested variance and, if granted, the conditions placed on variance.

- C. Limitations. The Township may only issue a variance if the Town Board determines all of the following circumstances exist with respect to the particular request:
1. The variance is in harmony with the general purpose and intent of this Ordinance;
 2. The variance is consistent with the comprehensive plan;
 3. The owner proposes to use the property in a reasonable manner not permitted by the Ordinance;
 4. The owner has established that there are practical difficulties in complying with the Ordinance that are unique to the property, not created by the owner, and are not based on economic considerations alone;
 5. The variance will not alter the essential character of the locality;
 6. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of the property have no control;
 7. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;
 8. The special conditions or circumstances do not result from the actions of the applicant;
 9. Granting the variance request will not confer on the applicant any special privilege that is denied by this Ordinance to others of other lands, structures or buildings in the same district; and
 10. The variance does not allow a use that is not permitted under the Ordinance for the land use district in which the property is located.
- D. Conditions. The Town Board may place conditions on the variances it issues, provided that any such conditions are directly related to and bear a rough proportionality to the impacted created by the variance.
- E. Appeals. The Town Board's decision on a variance is final. An appeal of a Town Board's decision may be made to the District Court as provided in Minnesota Statutes, section 462.361.
- F. Recording. The Town Board shall provide, at the applicant's expense, for the recording of the variances it issues in the office of the County Recorder.
- G. Violations. Any violation of the terms and conditions of a variance, or a violation of any provision of this Ordinance relating to the subject matter of the permit, may result in the revocation of the variance. The Township shall provide notice to the owner and conduct a hearing before revoking a variance.

ARTICLE IX AMENDMENTS TO ORDINANCE

901 INITIATION AND PROCEDURES

An amendment to the text of this Ordinance or of the land use map, including requests to rezone property, may only occur as provided in this Section.

- A. Initiated. An amendment to this Ordinance or the land use map may be initiated by the Town Board, the Planning Commission, or by application of an affected property owner. Any amendment not initiated by the Planning Commission shall be referred to the Planning Commission for review and may not be acted upon by the Town Board until it has received the Planning Commission's recommendations, or until at least 60 days after the proposed amendment was submitted to the Planning Commission. An amendment proposed by the Planning Commission shall be forwarded in writing to the Town Board for review. If the Town Board authorizes the Planning Commission to proceed with the amendment, the Planning Commission shall hold a hearing on the proposed amendment in accordance with the Town Board's authorization and this Section. If the Town Board initiated the amendment, the Planning Commission shall hold a hearing on the proposed amendment in accordance with this Section.
- B. Application. An application for an amendment must be made on the Township's application form and must be submitted to the Zoning Administrator together with the designated fee.
- C. Hearing and Notice. The Planning Commission shall conduct a hearing on proposed amendments. The Township shall public notice at least ten (10) days prior to the hearing. If the application involves a request to change district boundaries affecting an area of five acres or less, the notice shall also be mailed by first-class mail to all property owners of record, according to the county auditor's property tax records, within one-quarter mile of the property to which the application relates at least ten days before the hearing. The notice shall state the time, place, and purpose of the hearing. Failure of any property owner to receive notice of the hearing shall not in any way affect the validity of the hearing or its results. Following the hearing the Planning Commission shall forward the proposed amendment to the Town Board with its recommendation. The Town Board shall make the final decision on whether to approve or deny the proposed amendment. If the proposed amendment was initiated by application of an owner, the Township shall inform that person of the Town Board's decision.
- D. Limit on Similar Applications. No application of an owner for an amendment to the text of the Ordinance or the Zoning Map shall be considered by the Township within a one-year period following a denial of such request, except that a new application may be allowed if, in the opinion of the Zoning Administrator, there is new evidence or a sufficient change of circumstances to warrant additional consideration of the proposal by the Township.

ARTICLE X APPEALS

1001 PROCEDURES

No appeal shall be heard by the Township except in accordance with the procedures of this Section.

- A. Appealable Decisions. Only alleged errors in an order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance are appealable to the Board of Appeals and Adjustments. The decisions of the Town Board are final and are not appealable to the Board of Adjustment. Recommendations of the Planning Commission and of the Board of Adjustment are not final decisions and are not appealable to the Board of Adjustment.
- B. Notice of Appeal. In order to bring an appeal, a person shall file a written notice of appeal with the Town Clerk within 15 days of the date of the order or decision being appealed together with the required fee. The notice of appeal must include a description of the specific order or decision being appealed, the date of the order or decision, the person who issued the order or made the decision, a detailed explanation of the grounds for the appeal, and identify the specific relief being sought by the appeal.
- C. Hearing and Notice. Upon receipt of sufficient and timely notice of appeal and the required fee, a hearing will be scheduled before the Board of Adjustment. The Township shall mail notice of the hearing to the person bringing the appeal by first-class mail and shall public notice at least ten (10) days prior to the hearing. Following the hearing the Board of Adjustment shall forward the notice of appeal to the Town Board with its findings and recommendation. The Town Board shall review the recommendation and make the final decision on whether to grant or deny all or any portion of the relief sought. The Township shall provide the person bringing the appeal a copy of the Town Board's written decision.
- D. Judicial Review. Appeals from the final decisions of the Town Board may be brought as provided in Minnesota Statutes, section 462.361.

ARTICLE XI FEES

1101 APPLICATION FEE

Any person submitting an application, requesting any inspection, or seeking any other permit, permission, approval, or action under this Ordinance shall pay the applicable application fee as established by the Town Board. Those seeking a permit or permission after having commenced the use or work for which the permit or permission is being sought will be subject to enforcement action and shall be required to pay an after-the-fact application fee as established by the Town Board.

1102 ADMINISTRATIVE FEE

Any person submitting an application, including a notice of appeal, to the Township may also be required to submit an administrative fee deposit established by the Town Board to reimburse the Township for its costs to process the application including, but not limited to, all engineering, planning, legal, administrative and inspection expenses. Notwithstanding the amount of the administrative fee established by the Town Board, the Zoning Administrator is authorized to require a larger administrative fee, not to exceed fifty percent (50%) of the established amount, if the Zoning Administrator determines the scheduled amount will not be sufficient to process the particular request to which the application relates. Where required, payment of the administrative fee deposit and execution of the fee agreement must be completed prior to the application being considered filed, complete, and subject to processing. As the Township processes the application, the Zoning Administrator shall from time to time review the adequacy of the deposit with the Town Clerk and shall require the applicant to submit such supplemental deposit as the Zoning Administrator deems necessary to reimburse the Township for all expenses. Where a deposit is required, if the applicant does not submit the supplemental deposit required by this section within a reasonable period of time (not exceeding 30 days) after notification by the Zoning Administrator, the Township may suspend processing the application until the deficiency is corrected or deny the application. Upon termination of the application, by approval, denial, withdrawal, or any other means, all expenses incurred by the Township shall be immediately payable by the applicant. Any deposit in excess of the Township's expenses shall be refunded to the applicant without interest. Where a deposit is required, no permits shall be issued, no construction or development shall commence, and no use of the property shall be made until all expenses and fees are paid in full. In the event that payment of expenses and fees are not made within a reasonable time after demand, the Township may take action to collect the unpaid expenses and fees. The administrative fee imposed under this section shall constitute a service charge for a governmental service provided by the Township and is collectable by certifying the unpaid amount to the county auditor before October 15 to be collected together with property taxes on the subject property or other property owned by the applicant as provided for Minnesota Statutes, section 366.012. Alternatively, the Township Board may file a lien on the subject property or other property of the applicant pursuant to Minnesota Statutes, section 514.67, or take such other action as it deems appropriate to collect the unpaid expenses.

ARTICLE XII ENFORCEMENT AND PENALTIES

1201 PENALTY

Any person, firm or corporation who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a maximum fine or maximum period of imprisonment, or both, as specified by Minnesota Statutes, section 609.03. A violation of this Ordinance shall include, but is not limited to, any of the following: failing, neglecting, or refusing to comply with the provisions of this Ordinance; violating any condition placed on a permit or variance issued by the Town; or knowingly making any false statements in any document required to be submitted under the provisions of this Ordinance. Each day that a violation continues shall constitute a separate offense. In the event of a violation or a threatened violation of this Ordinance, the Town Board, in addition to other remedies, may institute appropriate criminal and/or civil actions or proceedings to prevent, prosecute, restore, restrain, correct or abate such violations or threatened violations.

1202 ENFORCEMENT

The Town Board, Zoning Administrator, and Town Board's appointed representatives have the authority to enforce this Ordinance by issuing notices of violation, cease and desist orders, citations, and taking or instituting such other lawful actions as may be needed to enforce this Ordinance and to bring a property into compliance. A violation of this Ordinance can occur regardless of whether a permit is required for a regulated activity. If a cease and desist order is issued to stop an activity, the activity may not be resumed until the reason for the work stoppage has been completely satisfied and the cease and desist order lifted.

1203 PROSECUTION

The Town Board or its legally authorized agent may enforce the Ordinance whether through criminal prosecution, civil remedy, or both. Utilization of a civil remedy shall not prevent a criminal prosecution for the same violation. A criminal prosecution for a violation shall not be a bar to a civil remedy. The Town may seek injunctive relief for on any violation, including to require the restoration of a premises to its condition existing prior to the violation or to a condition that complies with this Ordinance.

1204 COST OF ENFORCEMENT

The cost of prosecution may be added to any fines or other penalties imposed as provided in Minnesota Statutes, section 366.01, subdivision 10. The Township may also collect such other reasonable costs it incurs to enforce this Ordinance by certifying the amount to the County Auditor as a service charge pursuant to Minnesota Statutes, section 366.012 for collection together with the property taxes levied against any real property the person or entity subject to the enforcement action owns in the Township. The Township will provide the property owner written notice of its intent to certify the amount on or before September 15. The amounts so certified to the County shall be subject to the same penalties, interest, and other conditions provided for the collection of property taxes.

ARTICLE XIII DEFINITIONS

1301 RULES OF INTERPRETATION

As used in this Ordinance, the words "must" and "shall" are mandatory and the word "may" is permissive. All distances, unless otherwise specified, shall be measured horizontally. Words used in the present tense shall include the future, and words used in the singular number shall include the plural number as well. All measured distances expressed in feet shall be to the nearest 1/10 of a foot. The listing of examples to further explain a term, concept, requirement, or process is not intended to be, and shall not be interpreted as, an exclusive listing. Unless the context clearly indicates otherwise, such listings are intended to be explanative without being exclusive or limited. The exception to this general rule of interpretation is the listing of uses allowed in a district, which is intended to be limited to only those uses and the uses the Town Board finds to be substantially similar as provided in this Ordinance.

1302 DEFINITIONS AS USED IN THIS ORDINANCE

For the purposes of this Ordinance, the following terms shall have the meaning given them in this Section. Any term, word, or phrase not defined in this Section shall have the meaning given it in the most applicable definition in state law or rule. If the term, word, or phrase is not defined in state law or rule, it shall be interpreted so as to give them the same meaning as it would have in common usage and so as to give this Ordinance its most reasonable application.

ACCESSORY STRUCTURE. A structure built or placed on property that is incidental to the principal residence or structure on the same lot. Examples of such structures include but are not limited to: swimming pools; tennis courts; saunas; solar collectors; wind generators; satellite dishes; detached garages; storage buildings; and recreational trailers and vehicles.

ACCESSORY USE. Any use which is incidental to, and related to, the principal use of a lot.

AGENT. An attorney, realtor, broker, employee, family member, or other person acting with the authority, or apparent authority, of the owner(s).

AGRICULTURE. The use of land for agricultural purposes including: farming; dairying; pasturage; horticulture; floriculture; viticulture; animal and poultry husbandry and the necessary accessory uses for packing, treating and storing the produce, provided that the operation of any such accessory uses shall be secondary to that of the principal agricultural activities.

AGRICULTURAL STRUCTURE. Any structure, existing or erected and used principally for agricultural purposes, with the exception of dwelling units.

ALIQOT PART. An aliquot part is always described in relationship to the four points of the compass. It is the standard subdivisions of a section, such as a half section, quarter section, or quarter-quarter section. Descriptions of an aliquot part can be described down to a 5-acre tract such as the North Half of the NE1/4 of the NE1/4 of the NE1/4.

APPLICANT. A person or entity who/which has fee title to the land in question, or his/her/its authorized representative.

BLUFF. A topographic feature such as a hill, cliff, or embankment having the following characteristics:

1. Part or all, of the feature is located within a shoreland area. The slope rises at least twenty-five (25) feet above the ordinary high water (OHW) level of the water body. The grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the ordinary high water level averages thirty percent (30%) or greater.
2. The slope drains toward the water body.
3. An area with an average slope of less than 18 percent over a distance of 50 feet or more within the bluff may be exempted from the bluff standards.

BOARD OF APPEALS AND ADJUSTMENTS (BOARD OF ADJUSTMENT). A board of five (5) members appointed by the Turtle Lake Township Board of Supervisors for purposes described in this Ordinance, including, but not limited to, the conduct of public hearings regarding variance applications and appeals from and review of any order, requirement, decision or determination made by an administrative official charged with enforcing this Ordinance or any permit, grant, permission or authority allowed by the Township, for the purpose of making recommendations to the Town Board concerning all issues coming before it.

BOUNDARY SURVEY. A survey made to establish or to re-establish a boundary line on the ground in order to obtain data, which is represented in a Certificate of Survey that is prepared by a Minnesota licensed land surveyor.

BUILDABLE AREA. The minimum contiguous area remaining on a lot or parcel of land after all setback requirements, bluffs, areas with slopes greater than 18 percent, all easements and right-of-ways, on-site sewage treatment sites and alternative sewage treatment sites, historic sites, wetlands and land below the ordinary high water level of public waters are subtracted from the total area of a lot or parcel of land.

BUILDABLE LOT. A lot having sufficient size to meet the minimum square footage, buildable area, width standards and setbacks required by this Ordinance.

BUILDING. Any structure or part thereof, affixed to the land, either temporary or permanent, having a roof or other covering, and designed for the shelter or enclosure of

any person, animal or property of any kind, including tents, awnings or vehicles situated on private property and used for purposes of a building.

CAMP. A tract or tracts of land used principally for transitory recreational purposes, with or without structures, in the nature of traditional church camps, Boy Scout or Girl Scout camps or similar land uses, not principally intended to be used for profit.

CAMPGROUND. A tract of land accessible by vehicle and containing campsites or camping spurs for tent and/or trailer camping.

CERTIFICATE OF SURVEY. A graphic representation of any parcel, tract or lot of real property, the primary purpose of which is to show the results of a boundary survey, which is certified and signed by a Minnesota licensed land surveyor.

CHURCH. A building wherein persons regularly assemble for religious worship, which is used only for such purpose and those accessory activities as are customarily associated therewith.

CLEAR CUTTING. The removal of an entire stand of trees.

CLUSTERING or CLUSTERED. A development pattern and technique whereby structures or building sites are arranged in close proximity to one another in non-linear groups adjacent to permanently preserved common open space, so as to make the most efficient and visually aesthetic use of the natural features of the landscape and maximize permanently preserved open space.

COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD). A use that provides transient, short-term lodging spaces, rooms or parcels, with primarily service-oriented operations. Hotel/motel accommodations, resorts, recreational vehicle parks, timeshares and campgrounds and other primarily service-oriented activities primarily for transient uses may be commercial planned unit developments.

COMMERCIAL USE. A use of land or a structure for the sale, lease, rental or trade of products, goods, or services.

COMMON INTEREST COMMUNITY (CIC). *Subject to Minn. Stat. § 515B.* Contiguous or non-contiguous real estate within Minnesota that is subject to an instrument which obligates persons owning a separately described parcel of the real estate or occupying a part of the real estate pursuant to a proprietary lease by reason of their ownership or occupancy to pay for real estate taxes levied against insurance premiums payable with respect to maintenance of, or construction, maintenance, repair or replacement of improvements located on one or more parcels or parts of the real estate other than the parcel or part that the person owns or occupies. Real estate subject to a master association regardless of when the master association was formed shall not collectively constitute a separate common interest community unless so stated in the master declaration recorded against the real estate.

COMMON OPEN SPACE. A portion of a development site permanently set aside for public or private use held in common ownership by all individual owners within a development and will not be developed. Common open space shall include wetlands, upland recreational areas, wildlife areas, historic sites and areas unsuitable for development in their natural state. Common open space is not the space between buildings of a cluster in a subdivision or planned unit development.

COMPREHENSIVE PLAN. The policies, statements, goals and interrelated plans for private and public land and water use, transportation, and community facilities including recommendations for plan execution, documented in texts, ordinances and maps which constitute the guide for the future development and orderly growth of Turtle Lake Township.

CONDITIONAL USE. A land use or development as defined by Ordinance that would not be appropriate without restrictions or conditions, but may be allowed with such restrictions or conditions, upon findings that the use is an appropriate conditional use in the land use district, that the use with conditions conforms to the comprehensive plan, that the standards and criteria of this Ordinance shall be satisfied with the imposition of such conditions, that the use with conditions is compatible with uses in the existing neighborhood and the use with conditions would not be injurious to public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity.

CONDOMINIUM. Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

COOPERATIVE. A common interest community in which the real estate is owned by an association, each of whose members is entitled by virtue of the member's ownership interest in the association to a proprietary lease.

COUNTY. Beltrami County, Minnesota.

COUNTY BOARD. The Beltrami County Board of Commissioners.

DECK. A horizontal unenclosed platform with or without attached railings, seats, trellises or other features, attached or functionally related to a principal use or site.

DEVELOPMENT AGREEMENT. An agreement entered into with the Township, developer and/or subdivider, and other relevant parties and that requires and ensures the provision of public services and facilities, compliance with this Ordinance, and other considerations related to the development.

DOCK. A platform extending lakeward from the shoreline intended for ingress and egress for moored watercraft or to provide access to deeper water for swimming, fishing or other water oriented recreational activities.

DRIVEWAY. A road not more than 1,000 feet in length providing access to a residential dwelling.

DUPLEX. Dwelling structures on a single lot having two dwelling units being attached by common walls and each unit having separate sleeping, cooking, eating, living and sanitation facilities.

DWELLING SITE. A designated location for residential habitation by one or more persons using permanent, temporary or movable shelter, including camping and recreational vehicle sites.

DWELLING UNIT. Any structure, or portion of a structure or other shelter designed as short or long term living quarters for one or more persons, including, but not limited to, rental or timeshare accommodations such as motel, hotel and resort rooms and cabins and similar uses.

EASEMENT. A grant by a property owner for specified use of land by a corporation, the public or specified persons.

EXTRACTIVE USE. The use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other non-metallic minerals, or peat.

FARM. A land use for the growing and storage of farm products and the raising of farm animals, containing not less than ten (10) acres. "Farming" includes one or more such use, including dairy farms, with necessary accessory uses, provided that the operation of such accessory uses shall be secondary to normal farming activities. The term "farm" does not include commercial feedlots.

FEEDLOT. A lot or building or group of lots or buildings intended for the confined feeding, breeding, raising, or holding of animals. This definition includes areas specifically designed for confinement in which manure may accumulate or any area where the concentration of animals is such that a vegetative cover cannot be maintained.

FENCE. A partition, wall or gate erected as a dividing marker, visual or physical barrier, or enclosure.

FILL. Soil, sand, gravel, rock or any similar material that is deposited, placed, pushed or transported.

FINAL PLAT. The 'final' map, drawing or chart of an approved subdivision, meeting all requirements of this Ordinance and prepared pursuant to Minnesota Statutes, chapter 505 on which the subdivider's plan or subdivision is presented to the Town Board for approval, and which if approved by the Township and County Board, must be recorded with the County Recorder and/or County Registrar of Titles. A registered Land Survey, authorized by Minn. Stat. § 508.47 shall follow the same procedures as a plat, as set forth in this ordinance. The final plat should be designed according to Minnesota Statutes,

chapter 505 and the Subdivision & Planned Unit Development provisions of this Ordinance.

FLOODPLAIN. The areas adjoining a lake, watercourse or wetland, which have been, or hereafter may be covered by a regional 100-year flood.

FOREST LAND CONVERSION. The clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

FRONT LOT LINE. For a riparian lot, the front lot line is that line indicating the ordinary high water level (OHWL or OHW). For non-riparian lots, the front lot line is a line, which is the edge of the property abutting the road right-of-way on the side of the property through which the road is accessed.

GARAGE. A fully enclosed building designed or used for the storage of motor vehicles not including buildings in which fuel is sold or in which repair or other services are performed.

GOVERNMENT LOT. A fractional part of a section of land of the Public Land Survey System, designated by number on a Government Land Office Township Plat, or a subpart of a section which is not described as an aliquot part of the section, but which is designated by number, for example, Lot 3. A lot may be regular or irregular in shape, and its acreage may vary from that of regular aliquot parts. These lots may be along some of the Township's exterior lines and frequently border water areas excluded from the U.S. Public Land Survey System.

GUEST COTTAGE. A structure, not for permanent usage, used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

HEIGHT OF BUILDING. The vertical distance between the lowest ground level at the structure, and the highest point of the structure as measured from the normal lay of the land.

HOME OCCUPATION. A use of a non-residential nature for business or commercial purposes that is clearly incidental and secondary to the use of the premises for residential purposes. Home occupations allowed within a residential district shall be limited to products or services generated by the occupant of the dwelling. Business or commercial activities conducting entirely within the dwelling that do not generate customer traffic, do not involve employees working on the property that do not reside there, and do not have any outdoor storage of equipment or materials related to the occupation shall not be considered a home occupation for the purpose of this Ordinance. The homeschooling of children residing on the same property shall not be considered a home occupation and may be undertaken without a permit issued under this Ordinance.

IMPERVIOUS SURFACE. A constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities

and at a greater rate of flow than prior to development. Impervious surfaces include the horizontal area of buildings, including roofs, roof overhangs, decks, patios, paved driveways, paved parking lots, paver blocks, storage areas, and concrete, asphalt or gravel roads, provided, however, that the areas of gravel roads, gravel driveways and gravel parking areas shall be reduced by 50% in the calculation of impervious surfaces. Also included shall be accessory structures and other surfaces generally impervious to the penetration of water.

INDIVIDUAL SEWAGE TREATMENT SYSTEM (ISTS). A sewage treatment system, which receives sewage from an individual establishment or dwelling or a limited group of establishments or dwellings. Unless otherwise indicated in this Ordinance, the word "system" as it appears in this Ordinance, means an individual sewage treatment system.

INOPERABLE VEHICLES. An inoperable vehicle means any motor vehicle from which, for a period of at least sixty (60) days, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle incapable of being driven under it's own motor power.

INSPECTOR. An authorized representative of the Turtle Lake Township Board of Supervisors or Board of Adjustment assigned to make any or all necessary inspections of the work performed and materials furnished by the developer.

INTENSIVE VEGETATIVE CLEARING. The substantial removal of trees or shrubs in a contiguous patch, strip, row or block.

INTERIM USE. A specific use designated by this Ordinance as being allowed in a particular zoning district as an interim use. Interim uses are temporary in nature and may not occur except upon issuance of an interim use permit by the Township and such uses are subject to, and must comply with, all conditions placed on the permit. Every interim use permit must identify the date or event on which the permit shall expire.

JUNKYARD. A place of business, establishment or place of storage for keeping, storing or piling, whether temporarily, regularly or continually, or a place for buying or selling at retail or wholesale used or second-handed material of any kind, including, but not limited to, motor vehicles, machinery and/or parts thereof, cloths, rugs, clothing, paper rubbish, bottles, rubber, iron or other metal or articles, concrete or construction debris which, from their worn condition, render them practicably useless for the purpose for which they were made. "Junkyard" shall include a lot or yard for the purpose of keeping obviously abandoned, inoperable or partially dismantled motor vehicles, or the remains thereof, for the purpose of dismantling or for the selling of parts of the same, the sale of scrap, storage or abandonment. Uncovered storage of any motor vehicles, as defined herein, or of any other used material on any lot in any land use district shall constitute a "junkyard."

LAND USE DISTRICT (ZONING DISTRICT). An identified area of land within the Township for which specific regulations governing the use of land within the district are established by this Ordinance.

LOT. A parcel of land designated by plat, metes and bounds, registered land survey, auditor's plat, or other accepted means and separated from other parcels or portions by said description for the purpose of sale, lease, or separation.

LOT AREA. The area of land within the boundaries of a tract of land, but not including land located below the ordinary high water level of a lake or stream, expressed in terms of square feet or acreage.

LOT LINE. A line marking a boundary of a lot.

LOT WIDTH. Non-riparian lots: The shortest distance between side lot lines measured at the midpoint of the longest axis of said lot. Riparian lots: The shortest distance between side lot lines, measured at the building setback line. This shall also be the minimum width abutting the ordinary high water level of an adjacent lake or river.

METES AND BOUNDS. A description of a tract, lot or parcel of land by course and distance, by reference to natural or artificial monuments, or any other similar method or means.

MINING. The use of land for surface or subsurface removal of metallic minerals or peat for a commercial purpose.

MOBILE HOME. A structure, including a manufactured home, designed or used for residential occupancy built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has, at any given time, such wheels attached, or is jacked up or skirted. Mobile homes shall be treated as single family housing units.

MOBILE HOME PARK. Any premises on which two or more mobile homes, or any premises used or held out for the purpose of supplying to the public a parking space for two or more of such mobile homes. Sales lots on which automobiles or unoccupied mobile homes, new or used, are parked for purposes of inspection or sale are not included in this definition. For purposes of this Ordinance, mobile home parks shall be considered a Residential Planned Unit Development (RPUD), however, a mobile home park contained within a resort/camp shall be considered a Commercial Planned Unit Development (CPUD).

NON-CONFORMITY. Any non-conforming use, structure or parcel of land already in existence, recorded, and authorized before the adoption of official controls or amendments thereto, and which would not have been permitted to become established under the terms of the official controls as now constituted, if the official controls had been in effect prior to the date such controls were adopted.

NON-RIPARIAN LOT. A lot that does not abut a public or protected water of the State of Minnesota.

ORDINARY HIGH WATER LEVEL (OHWL or OHW). The boundary of public waters and wetlands indicated by an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.

OWNER. Any individual, firm, association, syndicate or partnership corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided or commerce and maintain proceedings to subdivide the same under this ordinance. The owner(s) shall be responsible for their own actions, as well as the action(s) of their agent(s), in regard to any violation of this ordinance.

PARKING AREA. Any area designed or designated for the purpose of parking more than six vehicles.

PARKING SPACE. A designated space, measuring ten (10) feet by thirty (30) feet, for the purpose of parking a vehicle.

PATIO. A horizontal unenclosed platform with or without attached railings, seats, trellises or other features, attached or functionally related to a principal use or site and at no point extending more than three feet above ground, including attachments.

PERFORMANCE BOND. A bond which may be required by the Township to ensure the completion of an activity permitted or allowed in any manner pursuant to this Ordinance.

PERSON. An individual, firm, corporation, government or governmental division or agency, business trust, estate, trust, partnership, organization, unincorporated association or two or more of any of the foregoing having a joint or common interest, or any other legal or commercial entity.

PLANNED UNIT DEVELOPMENT (PUD). A type or method of land use or development characterized by a unified site design for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent or lease, to utilize clustering of units or sites, to provide areas of common open space, density increases and a mix of structure types and land uses. These developments may be organized and operated as residential or commercial enterprises, such as individual dwelling units, townhouses, condominiums, time-share condominiums, cooperatives, common interest communities, shared-interest communities, full fee ownership, commercial enterprises or any combination of these, or cluster subdivisions of dwelling units, residential condominiums, townhouses, apartment buildings, campgrounds, recreational vehicle parks, resorts, manufactured home parks,

townhouses, hotels, motels or any combination of these. Planned unit developments shall also include any conversion of pre-existing structures and land uses to these uses in order to utilize this method of development.

PLANNING COMMISSION. The Turtle Lake Township Planning Commission as appointed by the Town Board.

PRELIMINARY PLAT. The preliminary map or drawing accompanied with additional information required by this ordinance indicating the proposed layout of the subdivision required for plat approval process, pursuant to standards described in the Ordinance. The preliminary plat must be prepared and certified by a Minnesota licensed land surveyor.

PROTECTIVE COVENANTS. Also called “restrictive covenants” or “covenants.” Contained in plats, deeds or other documents on file in the County Recorder’s Office as part of an approval process and which control the manner in which land may be used.

PUBLIC HEARING. A public forum, preceded by notice, at which all interested parties shall be allowed a reasonable opportunity to be heard concerning a proposed action.

PUBLIC IMPROVEMENT. A drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement or other facility.

PUBLIC WATERS. Any waters defined in Minnesota Statutes, chapter 103G, as public waters.

QUARTER-QUARTER SECTION. An approximately 40-acre parcel of land constituting the northeast, northwest, southwest, or southeast quarter of a quarter section in the United States Government System of rectangular land survey.

REAR LOT LINE. Any lot line, which is not a front or side lot line and which, if extended in either direction, would not cross the lot.

RECREATIONAL VEHICLE. Any vehicle or portable vehicular structure built on a chassis designed to be used as a temporary dwelling for travel, vacation or other recreational use.

RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD). A use where the nature of residency is non-transient and the major or primary focus of the development is not service-oriented, such as single family residences; duplexes; triplexes; residential apartments; mobile home parks; condominiums; timeshare condominiums; townhouses; cooperatives; and, conversions of structures or land uses to such non-transient uses. Developments of more than three such dwelling units or sites shall be considered to be Residential Planned Unit Developments.

RESORT. A commercial facility that includes buildings, lodges, structures, dwelling sites, enclosures or any part thereof kept, used, maintained or advertised as, or held out to

the public to be, a place where sleeping accommodations are furnished to the public and primarily to those seeking recreation, for periods of one day, one week, or slightly longer, and having for rent five or more cabins, rooms or enclosures. These facilities must be primarily service-oriented for transient lodging of guests. The entire parcel of land must be owned, controlled and managed by a corporation, family-owned business or other single business entity. In order to qualify as a resort pursuant to this definition, a resort shall also be fully licensed and permitted under appropriate state and local regulations. If a resort is converted, by application or by use, to a primarily residential land use, then the land use must conform to the standards of a RPUD and there shall be no mixed or hybrid PUD or land use of the same dwellings or dwelling sites.

RIGHTS-OF-WAY. An area of land laid out, used, or otherwise acquired or dedicated to provide access or allow for public travel.

ROAD. A public way which affords a primary means of access by pedestrian or vehicle to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane or otherwise.

ROAD - PRIVATE. Any vehicular way which is not an existing federal, state, county or township roadway; or is not shown upon a certificate of survey, minor subdivision, or plat approved pursuant to law, or is not dedicated to public use.

ROAD RIGHTS-OF-WAY WIDTH. The shortest distance between lines delineating the sidelines of the linear portions of rights-of-way.

SEPARATE OWNERSHIP. The dominion, title and proprietary right to property, or a subdivision thereof, held by a person, or two or more persons, together having a joint or common interest separate from those properties or lots adjacent to the property or lot in question. Separate ownership may not be found if common ownership to adjacent property or lots has been divested in order to circumvent the minimum lot size and/or other restrictions of this Ordinance.

SEPTIC TANK. Any watertight, covered receptacle designed and constructed to receive the discharge of sewage from a building's sewer, to separate solids from liquids, digest organic matters, and store liquids for a period of detention, and allow the liquids to discharge to a soil absorption system.

SETBACK. The minimum horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, road, highway, property line, or other facility.

SEWAGE TREATMENT SYSTEM. A system, including the septic tank and soil absorption system, whereby septic tank effluent is treated and disposed of below the ground surface by filtration and percolation through the soil. This includes those systems commonly known as: seepage bed; trench; drain field; and mound.

SEWER SYSTEM. Pipelines, conduits, pumping stations, force main and all other construction, devices, appliances, or appurtenances used for conducting sewage, industrial waste or other waste to a point of ultimate disposal.

SHORELAND. Land located within the following distances from public waters: 1,000 feet from the ordinary high water level of a lake, pond or flowage; and 300 feet from a river or stream.

SIDE LOT LINE. Any lot line which is not a front or rear lot line.

SIGNIFICANT CULTURAL OR HISTORIC SITE. Any archeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minn. Stat. § 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.

SINGLE FAMILY DWELLING. A structure designated or used for residential occupancy by one family.

STEEP SLOPE. Lands having slopes over twelve (12%) percent, as measured over horizontal distances of fifty (50) feet or more, that are not bluffs.

STRUCTURE. Any building or appurtenance including decks, pergolas, pools, and patios, but not including aerial or underground utility lines such as sewer, electric, telephone, telegraph, gas lines, towers, poles, or other supporting facilities.

SUBDIVIDER. Any individual, firm, association, syndicate, co-partners, corporations, trust or other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Ordinance.

SUBDIVISION. A tract of land divided for the purpose of development, investment, sale, rent, lease or transfer of ownership, including Planned Unit Developments and Common Interest Communities.

SUBSTANDARD LOT. Any lot that does not conform to, the minimum lot area, widths or depths prescribed by this Ordinance.

TEMPORARY STRUCTURE. Any structure which has been erected or placed on a lot in order to be utilized for any purpose for a period not to exceed six (6) months. Temporary structures over 100 sq. ft. in size shall require a permit. Any structure, which is not a temporary structure, is considered a permanent structure and must comply with all provisions of this Ordinance.

TOE OF BLUFF. The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope from gentler to steeper slope above. If no break is apparent, then the toe of bluff shall be determined to be the lower end of a ten (10) foot segment, measured on the ground, with an average slope exceeding eighteen (18) percent.

TOP OF BLUFF. The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope from steeper to gentler slope above. If no break is apparent, the top of bluff shall be determined to be the upper end of a ten (10) foot segment, measured on the ground, with an average slope exceeding eighteen (18) percent.

TOWN BOARD. The duly elected and serving supervisors of Turtle Lake Township, in Beltrami County, Minnesota, having those powers accorded to such board by law and by this Ordinance.

TOWNSHIP. Turtle Lake Township, in Beltrami County, Minnesota.

VARIANCE. Any modification or variation from official controls where it is determined that, by reason of exceptional circumstances, strict enforcement of the official controls would result in practical difficulties and be impractical because of circumstances relating to lot size, shape, topography or other characteristic of the property, and when the deviation from the Ordinance with any conditions will remain in keeping with the spirit and intent of the Ordinance. A variance cannot allow a use that is not permitted in the land use district in which the property is located.

VEGETATION MANAGEMENT PLAN. A plan or proposal which describes the existing natural vegetation on shoreland property within the appropriate shoreland area, including trees, shrubs, grasses and other plant species, and which documents the shoreland owner's management objectives with respect to the preservation or removal of the natural vegetation in such areas.

WETLAND. Wetlands are defined using the following: MN Statutes 103G.005, Subd. 17b & Subd. 19; The rules adopted by the Board of Water and Soil Resources to implement the Wetland Conservation Act, Minn. R. ch. 8420 (1995), as amended by 20 Minn. Reg. 2629 (June 10, 1996), and by any subsequent amendments; and the 1987 U.S. Army Corp of Engineers Manual. Identified wetlands on a new parcel of land must be delineated by a qualified wetland specialist which is approved to do so by the U.S. Army Corp of Engineers. The Zoning Administrator shall use their discretion if a wetland delineation is required on a new parcel of land. For further information, please contact Beltrami County or the Minnesota Department of Natural Resources (DNR).

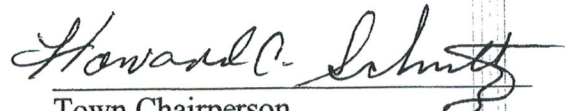
ZONING ADMINISTRATOR. The Turtle Lake Township Zoning Administrator or his/her authorized representative. In lieu of an appointed Zoning Administrator, or in the event of a vacancy, the Town Board shall designate one or more persons as it determines is appropriate to perform the duties of the Zoning Administrator.

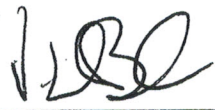
**ARTICLE XIV
EFFECTIVE DATE**

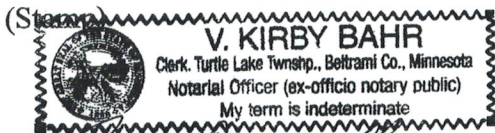
1401 EFFECTIVE DATE. This Ordinance is effective on the first day of publication of a summary of this Ordinance.

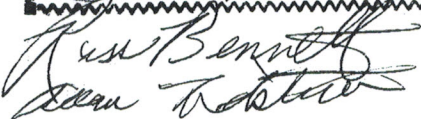
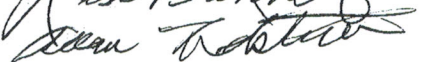
Adopted on the 1st day of April, 2013.

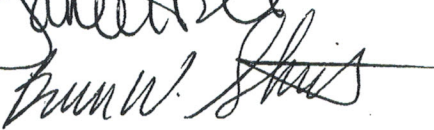
BY THE TOWN BOARD


Town Chairperson

Attest: 
Town Clerk

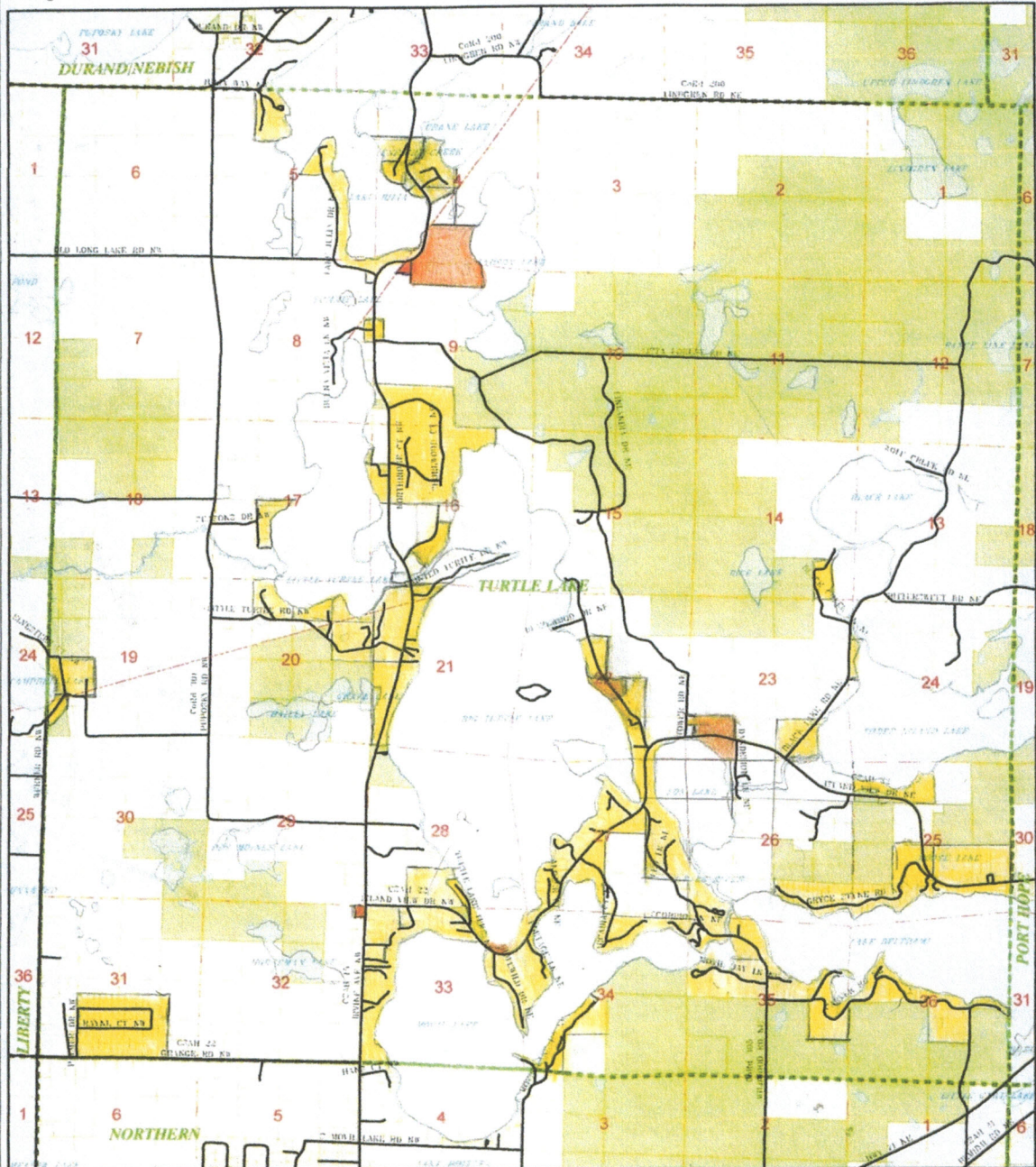




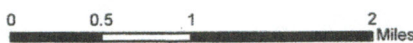


Turtle Lake Township T.148N.-R.33W.



Legend

- OR/LRL Township
- Roads
- Lakes
- Public Lands
- Parcels



BELTRAMI COUNTY
GIS/Mapping Department
701 Minnesota Ave NW Suite 219
Bemidji, MN 56601
Phone: 218-333-6407 Fax: 218-333-4182
www.co.beltrami.mn.us

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APPENDIX A

CLASSIFICATION OF USES WITHIN EACH LAND USE DISTRICT

Each of the uses allowed within the Township are classified within each land use district as being permitted (P), conditional (C), interim (I), or not permitted (N). All uses not expressly allowed in a land use district as a permitted, conditional, or interim use are prohibited unless they are allowed as an accessory use.

Land Use District:	Ag/Natural Env.	Residential	Commercial
Accessory Structures and Uses	P	P	P
Asphalt Plants	I	N	I
Bank	N	N	P
Campground	N	N	C
Cell Tower	C	N	C
Cemetery (including animal cemetery)	P	P	P
Church	C	C	C
Commercial Communications Tower & Transmitter	C	C	C
Commercial Retail Businesses	N	N	P
Commercial Uses	C	C	P
Deck, Stairway or Handicap Access	P	P	P
Drive-Ins	N	N	P
Duplex Residence and Multi-Family	C	C	P
Essential Services	P	P	P
Extractive Uses	C	C	C
Farm Buildings	P	I	P
Feedlot	C	N	N
Forestry Use	P	P	P
Gas Station	N	N	C
General Agricultural Uses	P	I	P
Golf Course	C	C	C
Government Campground	C	N	C
Greenhouse or Nursery	C	C	P
Group Camps, Organized	I	I	N
Guest Cottage	N	P	P
Home Occupations	I	I	P
Hospital or Clinic	C	N	C
Hotel, Motel or Resort	N	C	C
Industrial	C	N	C
Junk Yards	N	N	C
Kennels (includes breeding, boarding & training kennels—for multiple animals)	C	N	C
Livestock Raising	P	N	C
Lumber Yard or Sawmill	C	N	C

Land Use District:	Ag/Natural Env.	Residential	Commercial
Manufactured Homes (Not Mobile Homes)	P	P	P
Miniature Golf Course or Driving Range	P	N	C
Mining	C	N	N
Mobile Homes	P	P	P
Mobile Home Parks	N	C	C
Private Airport	C	N	C
Private Campground	C	N	C
Private Clubs	C	N	P
Private Roads, necessary for 'BP' or "CUP"	C	C	C
Private School	C	C	C
Public Buildings & Playground	P	C	P
Public Parks & Forest Preserves	P	P	P
Public Recreational Facility	C	C	C
Public Uses, including Wildlife Areas and Parks	P	P	P
Public Utility Building	C	C	C
Recreational Facility	C	C	C
Recreational Camping-Vehicle Parks	C	N	C
Religious Institutions	C	C	P
Restaurants and Dinner Club	N	N	P
Retail Shop	C	C	C
Riding Station	C	N	C
Roadside Stand- year around	P	P	P
Roadside Stand – Temporary or Seasonal	P	P	P
Rural Non-Platted Single Residential	P	P	P
Service Business & Facilities	C	C	P
Shooting Preserves	I	N	I
Single Family Residence	P	P	P
Special Recreational Uses, such as Golf Courses	C	C	C
Tavern	C	N	C
Truck Gardening, Field Cropping & Fruit	P	N	C
Utility Transmission Power Line	C	C	C
Veterinary Hospital or Clinic	C	N	C