

CHAPTER 13
Planning and Zoning

Section - Conveyance of Lands

- 13.1 *Prohibited Conveyances.* No real property located within the City shall be conveyed, transferred, assigned, or subjected to a security interest, unless the legal description for the real property is either a legal description which is a part of an approved plat, or a survey based description containing exact bearings and measurements. Legal descriptions which contain only general directions or areas, commonly referred to as “metes and bounds” or “area” descriptions, are prohibited.
- 13.2 *Plats.* No real property within the City shall be subdivided until a plat has been approved by the Council and filed with the office of the County Recorder. The person proposing to subdivide the property shall submit to the Administrator four copies of a preliminary plat prepared by a registered land surveyor. The Council shall review the plat and hold a public hearing. Upon approval of the plat, the final plat shall be duly executed and a copy provided to the Administrator and shall be filed in the office of the County Recorder.
- Subd. 1.* Each plat shall be prepared in conformance with this Ordinance and law. Each plat shall be designed so as to harmonize with existing subdivisions, land usage, and adjacent areas. All streets shall be laid out in relationship to existing and planned streets, to reasonable circulation of traffic, to topographic conditions, to runoff of storm water, and to the proposed use of the area served.
- Subd. 2.* All plats shall provide for foreseeable utility needs by establishing easements of at least 10 feet in width centered on rear, front or side lot lines where necessary. Easements for water or sewer shall be at least 20 feet in width.
- 13.3. *Variances.* The Council shall have the power to vary from the requirements of this Ordinance when supporting evidence indicates that:
- (A) Because of the particular physical surroundings, shape or topographic conditions of the land involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;
 - (B) The conditions upon which the petition for variance is based are unique to the tract of land and are not generally applicable to other properties;
 - (C) The purpose of the variance is not based exclusively upon a desire to increase the value of the property;
 - (D) The alleged difficulty or hardship is caused by the provisions of this Ordinance and not by any persons presently or formally having an interest in

the property;

- (E) The granting of the variance will not be detrimental to the public welfare; and
 - (F) The proposed variance will not substantially increase congestion of the public streets, or increase the danger of fire to person or property, or substantially diminish or impair property values within the area.
- 13.4 *Building Permits and City Services.* Building permits shall be withheld for structures on tracts which have been subdivided or conveyed in violation of this Ordinance. The City may refuse to improve, repair or maintain such tracts, or provide municipal services.
- 13.5 *Penalty.* Any person who violates the provisions of this Ordinance shall be guilty of a misdemeanor. Each day that a violation is permitted to exist shall constitute a separate offense.

Section - Manufactured Homes

- 13.20 *Restrictions.* Only manufactured homes designed, built, and constructed in conformance with state law and this Ordinance are permitted and are subject to the additional following standards:
- (A) The manufactured home shall have ground floor space of not less than 850 square feet, exclusive of garages, entryways, and other attachments to the home;
 - (B) The home shall not be designed for more than a one family dwelling;
 - (C) The manufactured home shall not be allowed on any lot having a width of less than 70 feet;
 - (D) The manufactured home shall not have a width of less than 14 feet at its narrowest point measured from the face of the exterior of the walls;
 - (E) The main roof shall be gabled or A-framed style with not less than 3/12 pitch;

- (F) The exterior walls must be sided with weather resistant materials, and any metal siding must have horizontal edges and overlap in sections no wider than 12 inches;
- (G) Sheet metal siding or roofing is not permitted;
- (H) All homes must be skirted and must have tie-downs;
- (I) The overall architectural design, color, roof pitch, roof overhang, and exterior materials of all buildings and structures shall be similar to and consistent with surrounding buildings so as to not constitute a blighting influence; and
- (J) All newly manufactured homes shall be inspected by a building inspector and must meet any state building code for manufactured homes.

13.21 *Non-Conforming Homes.* All manufactured homes shall be permanent-type structures. The present owner of a manufactured home which is not in conformance with this Ordinance, shall be permitted to maintain the manufactured home provided the manufactured home is habitable and maintained in a state of reasonable repair. The determination of whether a home is habitable and in a state of reasonable repair shall be determined by the Council based upon a report from its inspector.

13.22 *Manufactured Home Park.* In the event a manufactured home park is established by the Council, the Council may consider the relocation of manufactured homes out of any residential district.

13.23 *Age of Home.* No manufactured home shall be moved into the City which is more than 10 years old unless approved by the Council.