



ORDINANCE NO. 5

v1.2

AN ORDINANCE REGULATING THE LOCATION, SIZE, AND USES OF BUILDINGS, THE ARRANGEMENT OF BUILDINGS ON LOTS AND THE USES OF LAND WITHIN THE VILLAGE OF PINE SPRINGS, AND PROVIDING FOR ADMINISTRATION AND ENFORCEMENT AND IMPOSING PENALTIES FOR VIOLATIONS.

The Council of the Village of Pine Springs does ordain as follows:

SECTION 1. TITLE

This ordinance shall be known as the Zoning Ordinance of Pine Springs.

SECTION 2. PURPOSE

The regulations established hereby have been made in accordance with a plan of land uses whose purpose is to protect the health, safety, order, convenience and general welfare and have been made with consideration of the character of the Village area and its suitability for particular uses, and with a view to conserving the value of buildings and land and incorporating the most appropriate use of land throughout the village. All incorporated territory of the Village of Pine Springs is hereby determined to be Residential – Agricultural in character.

SECTION 3. RESIDENTIAL – AGRICULTURAL DISTRICT ESTABLISHED

All incorporated territory of the Village of Pine Springs is hereby designated as a Residential – Agricultural district.

SECTION 4. REGULATIONS FOR RESIDENTIAL – AGRICULTURAL DISTRICT

Subdivision 1. Use Regulations.

In the Residential – Agricultural district no building or premises shall be used, and no building shall be hereafter erected or structurally altered, except as otherwise provided in this ordinance, except for one or more of the following uses.

1. One-family dwellings and their accessory building.
2. Farming or other agricultural purposes.
3. Nothing in this ordinance shall be deemed to prohibit the construction or maintenance of any attractive stand or shelter for the sale of agricultural products produced on the premises.

Subdivision 2. Area Regulations.

In the Residential – Agricultural district every building designed for the housing of one family together with accessory buildings shall be located on a building site having an area of not less than one acre, excluding water or swamp area subjected to flooding. Each lot shall have a front yard of not less than twenty-five (25) feet and two side yards of not less than twenty (20) feet on each side of the buildings. On a corner lot abutting on two streets, the yards adjacent to the streets shall be not less than twenty-five (25) feet.

Subdivision 3.

Private single family dwellings shall have a floor area of not less than 800 square feet.

SECTION 5. NON-CONFORMING USES.

Subdivision 1.

Any non-conforming use, except as provided herein, now in operation may be continued, except that any non-conforming use or building may not be:

1. Changed to another non-conforming use.
2. Re-established after discontinuance for more than one year.

SECTION 6. ADJUSTMENTS AND APPEALS

Subdivision 1.

The Village Council shall have the power to make adjustments and exceptions to any of the provisions of this ordinance to the extent of the following and no further:

1. To vary or modify the strict application of any of the regulations or provisions contained in this ordinance in cases in which there are practical difficulties in the way of such strict application.
2. To permit public utility or public service uses or public buildings to be located in any district when found to be necessary for the public health, safety, convenience or welfare.

Before making its decision upon any application for such adjustments or exceptions, the Village Council shall hold a public hearing thereon and shall thereafter make its decision. If the application is denied, no further action shall be taken up on it, but if the Village Council believes that the application should be granted, the Village Council shall by resolution either grant or deny such application, and it may attach to the grant of the application such conditions and guarantees as it may deem necessary to carry out the purpose of this ordinance.

Subdivision 2.

The Village Council shall not grant any application unless they find from evidence submitted by the applicant, the following facts:

1. That there are special circumstances or conditions affecting the land, building or use referred to in the application.
2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.
3. That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

SECTION 7. SPECIAL USE PERMITS

Subdivision 1.

Special use permits may be issued for any of the following:

1. Any of the uses or purposes for which such permits are required or permitted by the provisions of this ordinance.
2. Public utility or public service uses, or public building, in any district when found to be necessary for the public health, safety, convenience or welfare.
3. Commercial excavating of natural materials used for building or construction purposes, in any district.

Subdivision 2.

Application for the issuance of special use permit shall be made to the Village Council and procedure shall thereafter be the same as for adjustments and exceptions, as in this ordinance provided.

Public utility or public service uses, or public building in any district when found to be necessary for the public health, safety, convenience or welfare. Lines, pipes or conduits for the transmission of electrical energy, gas, petroleum products or sound by public utilities shall be classified as a special use in all districts and application for a special use permit shall be made pursuant to the procedure set forth herein before installation of the same.

Such application shall show the proposed location and construction specification of the proposed installation.

Location of such installation shall insofar as reasonably possible be made in such a manner to minimize interference with the present use and future development of properties affected by such installation.

SECTION 8. AMENDMENTS.

This ordinance may be amended only by a two-thirds vote of the Village Council after a public hearing on such amendment has been duly advertised and held. Proceedings for such amendment may be initiated by (1) the Village Council, (2) the verified petition of not less than fifty percent (50%) of those property owners within five hundred (500) feet of the proposed change.

SECTION 9. ENFORCEMENT

Subdivision 1.

It shall be the duty of the building inspector to enforce the provisions of this ordinance.

Subdivision 2.

It shall be the duty of the building inspector to determine, before any building permit is issued under Ordinance No. 6 (Building Code), that the provisions of this ordinance are fully complied with.

SECTION 10. PENALTIES

Any person who violates or fails to comply with any of the provisions of this ordinance, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not to exceed One Hundred Dollars (\$100.00) or by imprisonment for not to exceed ninety (90) days for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 11.

This ordinance shall take effect and be in force from and after its passage and publication.
Passed by the Village Council this 5th day of July, 1966.

Donald L. Kirch (signature)
Acting Mayor

Attest:
Richard Zietlow (signature)
Clerk

Revision History

Ver.	Changes	Date Changed
1.0	Adopted by the City Council	Jun 6, 1961
1.1	Amended by Council motion	Jul 11, 1961
1.2	Amended by Ordinance 8	Jul 5, 1966
1.2	Repealed by Ordinance 17	May 31, 1973