

ARTICLE XIV  
ADMINISTRATION

Section 14.01           **ENFORCEMENT.**

The provisions of this ordinance shall be administered by the Zoning Administrator or his authorized representative.

Section 14.02           **COMPLIANCE REQUIRED.**

The Zoning Administrator shall examine all applications for building permits and the necessary site plan to determine whether the proposed construction, alteration, repair, enlargement, and proposed use shall comply with the provisions of this ordinance and shall endorse thereon the date of his approval.

If it shall be determined that for any reason the permit requested may not be issued, the Zoning Administrator shall notify the applicant with a memorandum stating the reason for refusing to grant approval.

Section 14.03           **CONFLICT OF LAWS.**

Whenever any provision of this ordinance establishes higher standards than are imposed or required by existing provisions of the laws of the State of Minnesota or any ordinance of regulation of the City of Hayfield, the provisions of this ordinance shall apply.

Where the provisions of state law or other City regulation or ordinance set higher standards than those of this ordinance, the provisions of said laws and regulations shall apply.

Section 14.04           **SPECIAL EXCEPTIONS.**

Any proposed special exception permitted by the provisions of this ordinance shall be presented to the Planning Commission and the City Council for the determination of its applicability to the district. The Planning Commission and/ or the City Council may require preliminary architectural drawings or sketches on all buildings or group of buildings showing front, side and rear elevations of the proposed building, structure or other improvements and the proposed location of such buildings on the lot as the same will appear after the work has been completed. Such drawings or sketches shall be considered in an endeavor to ascertain that such buildings, structures, and other improvements shall be so designed or constructed that they will not be unsightly, undesirable, or obnoxious in appearance to the extent that they will hinder the orderly and harmonious development of the City and the district wherein located.

Section 14.05.

**PROCEDURES FOR SPECIAL EXCEPTION PERMITS.**

The following procedures shall be followed in requesting a special exception permit:

- (a) The applicant for a special exception permit shall file his application with the Zoning Administrator on forms provided by the City and when the application is filed pay a fee of twenty {20} dollars payable to the city treasurer to assist in covering the cost of advertising.
- (b) The applicant shall submit at the time of application a map showing the names and addresses of all property owners and occupants within three hundred (300) feet of the property in question.
- (c) In support of determining the issuance of the special exception permit, and before setting the date for public hearing, the Planning Commission may require preliminary architectural drawings or sketches on all buildings or group of buildings showing front, side, and rear elevations of the proposed building, structure, or other improvements at their proposed location on the lot and as the same will appear after the work has been completed.
- (d) The Planning Commission shall set the date for public hearing for its next regular meeting after compliance with the above specified provisions and shall within seventy (70) days from the date of the public hearing make its recommendation to the City Council.
- (e) The Planning Commission shall notify by mail all property owners within three hundred (300) feet of the property in question at least ten (10) days prior to the date of the public hearing. Failure of any property owner or occupant to receive such notice shall not invalidate the proceedings.
- (f) The applicant or his representative shall appear before the Planning Commission and answer any questions concerning the proposed special exception.
- (g) The Planning Commission shall consider possible adverse effects of the proposed special exception and what additional requirements may be necessary to prevent such adverse effects.
- (h) The report of the Planning Commission shall be referred to the City Council and placed on the agenda of the council at its next regular meeting following referral from the Planning Commission.
- (i) The City Council shall take action on the application within sixty (60) days after receiving the report of the Planning Commission. If the council grants the special exception permit, it may impose any additional special conditions it considers necessary to protect the public health, safety and welfare.
- (j) In the case where the Planning Commission has made a unanimous decision concerning a request for a special exception permit, the City Council can override that decision if there is at least four-fifths (4/5) majority vote. In the case where the Planning Commission has not made a unanimous decision, the City Council can override that decision with a three-fifths (3/5) majority vote.

Section 14.06

**SPECIAL EXCEPTION PERMIT REVIEW CRITERIA.**

The Planning Commission, in considering an application for a special exception permit, shall prepare its report and make findings on the following criteria:

- (a) that the establishment, maintenance or operation will not be detrimental to or endanger the public health, safety, or general welfare and is not contrary to established standards, regulations or ordinances of other governmental agencies.
- (b) that each structure or improvement is so designed and constructed that it is not unsightly, undesirable, or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the city and the use district wherein proposed.
- (c) that the use will not be substantially injurious to the permitted uses, not unduly restrict the enjoyment of other property in the immediate vicinity, nor substantially diminish and impair property values within the area.
- (d) that the establishment of the use will not impede the orderly and normal development and improvement of the surrounding property for uses permitted in the zoning district.
- (e) that adequate water supply and sewage disposal facilities are provided and in accordance with applicable standards.
- (f) that adequate access roads, on-site parking, on-site loading and unloading berths and drainage have been or will be provided.
- (g) that adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion on public roads.
- (h) that the use will conform to all applicable regulations of the district wherein proposed.