RAVENNA TOWNSHIP
DAKOTA COUNTY, MINNESOTA
Ordinance No. 01-2011

ORDINANCE AMENDING RAVENNA TOWNSHIP ZONING ORDINANCE (NO. 01-2010) REGARDING VARIANCES AND DENSITY

Article I. Section 040 of the Ravenna Township Zoning Ordinance is amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

Density Unit — The total number of possible dwelling units a parcel of land can support under the provisions of this Ordinance based upon the size of the parcel in acres and the applicable lot dimension requirements.

Outlot — A portion of a subdivision ~~development used to calculate available dwelling lot density~~ which does not contain any dwelling lots and is platted as a remnant open space and is unbuildable. The area of an outlot may be used in the calculation to determine the maximum number of density units allowed in the subdivision, provided each proposed lot contains sufficient area as required by this Ordinance.

Variance — Any modification or variation of official controls where it is determined that, by reason of exceptional circumstances, the strict enforcement of the official controls would cause practical difficulties ~~unnecessary hardship~~.

Article II. Section 056.1, paragraph 1 of the Ravenna Township Zoning Ordinance is amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

1. The strict enforcement of this Ordinance would cause practical difficulties ~~an undue hardship~~ because of circumstances unique to the individual property under consideration. "Practical difficulties" ~~"Undue hardship"~~ as used in connection with the granting of a variance means the property owner proposes to use the property in a reasonable manner not permitted ~~question cannot be put to a reasonable use if used under conditions allowed~~ by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, the variance is in harmony with the general purposes and intent of the Ordinance, the variance is consistent with the comprehensive plan, and the variance, if granted, will not alter the essential character of the Township. Economic considerations alone shall not constitute practical difficulties ~~an undue hardship if reasonable use for the property exists under the terms of the Ordinance~~. Practical difficulties ~~Undue hardship also~~ includes, but are ~~is~~ not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction when in harmony with this Ordinance.

Article III. Section 056.2, paragraph 5 of the Ravenna Township Zoning Ordinance is amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

5. The Board of Appeals and Adjustments shall take final action on the proposed variance. The Board of Appeals and Adjustments may impose conditions on any variance it grants as it determines necessary to ensure compliance with this Ordinance, to protect adjacent properties, and to protect the public health, safety and welfare. Any conditions imposed on a variance must be directly related to and must bear a rough proportionality to the impact created by the variance.

Article IV. Section 100 of the Ravenna Township Zoning Ordinance is amended by adding the underlined material as Section 100.2 and Section 100.3 as follows:

100.2 Density and Minimum Lot Sizes in Districts

Unless expressly provided otherwise in this Ordinance, the maximum number of dwelling units (or density units) may not exceed the following:

1. In the Rural Residential District (RR-1), the density of residential dwelling units shall not exceed one (1) dwelling unit per ten (10) acres and no more than four (4) dwelling units per forty (40) acres. The minimum lot size in this district is two (2) acres.
2. In the Conservation District (CV), the density of residential dwelling units shall not exceed one (1) dwelling unit per ten (10) acres and no more than four (4) dwelling units per forty (40) acres. The minimum lot size in this district is five (5) acres.
3. In the Flood Prone Overlay District (FP), residential dwelling units are not allowed.
4. In the Critical Area Overlay District (CA), the density of residential dwelling units shall be the same as allowed in the underlying zoning district. The minimum lot size in this district is five (5) acres.

Only land above the ordinary high water level and land which is not covered by right-of-way, utility, and drainage easements may be used to satisfy the lot area requirement.

100.3 Determination of Density Units

The maximum number of density units for an individual parcel shall be calculated by multiplying the size of the parcel in acres by the maximum density per ten (10) acres for the district in which the parcel is located as set forth in Section 100.2 above and then dividing this number by 10 to achieve the result. When subdividing or platting a parcel, the number of buildable lots to be created in the subdivision may not exceed the maximum number of density units allowed for the total size of the parcel, and each resulting parcel or lot must contain at least the minimum buildable lot size and satisfy the applicable lot dimensions established

for the district. Because the minimum buildable lot size is less than ten (10) acres, a previous subdivision of a parcel may result in a lot that may not be further subdivided even though it appears to contain a sufficient number of acres to be divided further because such further division would cause the maximum number of density units to be exceeded.

Article V. Section 201.1 of the Ravenna Township Zoning Ordinance is amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

201.1 Intent and Purpose

This section establishes provisions and criteria for the subdivision and development of tracts of land. All subdivisions of land submitted for approval shall fully comply, in all respects, with the regulations set forth herein. It is the purpose of these regulations to: encourage well planned, efficient, and attractive subdivisions by establishing adequate standards for design and construction; provide for the health and safety of residents by requiring the necessary services such as properly designed streets and adequate sewage and water service; place the cost of improvements against those benefiting from their construction; and secure the rights of the public with respect to public lands and water.

For the purposes of this Ordinance, the following types of subdivisions are allowed within the Township:

Lot Line Adjustments
Administrative Minor Lot Splits
Minor Subdivisions
Major Subdivisions
Large Parcel Major Subdivisions

No subdivision or re-subdivision of land shall be permitted if it would result in one or more lots that, if built upon, would exceed the maximum number of density units established by this Ordinance. The Township may condition the approval of any subdivision on the owner or owners entering into a development agreement with the Township identifying the total number of density units for the affected properties and the number of density units available per parcel. For the purposes of this Section, the minimum acreage required to subdivide land as provided herein shall be calculated by excluding any land located within a designated 100-year floodplain area.

Article VI. Section 201.11, paragraph 3 of the Ravenna Township Zoning Ordinance is amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

3. **Subdivision Design Features.** The following subdivision design features shall be provided:
   a. Layout of proposed streets, showing right-of-way widths and proposed names of streets. The name of any street shall

comply with the Township requirements and shall not be the same as existing street in the Township or immediately adjacent areas, unless the proposed street is an extension of an already named street, in which event the same name shall be used.

b. The creation of outlots is to be minimized and no outlots shall be allowed for subdivisions containing less than 40 acres without prior approval of the Town Board.

Article VII. Section 904 of the Ravenna Township Zoning Ordinance is amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

904 **Nuisances to Peace and Safety**

The following are declared to be nuisances affecting public peace and safety:

1. The placing or throwing on any street, alley, road, highway, sidewalk or other public property of any glass, tacks, nails, bottles or other nuisance which may injure any person or animal, or damage any pneumatic tire when passing over the same.
2. The ownership, possession or control of any unused refrigerator or other container with doors which fasten automatically when closed of sufficient size to retain any person to be exposed and accessible to the public without removing the doors, lids, hinges or latches or providing locks to prevent access by the public.
3. To knowingly permit any species of cattle, horse, ass, mule, sheep, swine, or goat to run at large on the lands of others or on public land. An animal shall conclusively be presumed to be running at large if it is on the land of others without their permission and is not under the direct control of the animal's owner or the owner's agent. Furthermore, the owner of an animal shall be deemed to have knowingly permitted the animal to run at large if, due to failure to keep the animal properly fenced or otherwise restrained, the animal is found to be running at large more than once within any six-month period.

Article VIII. Incorporation of Amendments. The Town Clerk-Treasurer is hereby authorized and directed to incorporate these amendments into the text of the Ravenna Township Zoning Ordinance, renumber sections as needed, and to post it as the official current version of the ordinance.

Article IX. Effective Date. This ordinance shall be effective upon the first day of publication after adoption.

Adopted on the 10 day of November, 2011.

BY THE TOWN BOARD

Henry Tressel

Henry Tressel, Chairperson

Attest:

Caroline Spurgeon, Clerk-Treasurer

CAROLINE ANN SPURGEON
NOTARY PUBLIC - MINNESOTA
MY COMMISSION EXPIRES 1-31-20