

**Chapter 17**  
**LOT, YARD, AND BUILDING STANDARDS**

**SECTION:**

- XX-17-1: Summary
- XX-17-2: Lot Area
- XX-17-3: Yards
- XX-17-4: Building Code
- XX-17-5: Building Height
- XX-17-6: Minimum Elevation
- XX-17-7: Single-Family Dwellings
- XX-17-8: Temporary Health Care Dwellings
- XX-17-9: Building in Fire Prone Areas
- XX-17-10: Controls During Construction

**11-17-1: PURPOSE:** This chapter identifies lot area, yard requirements, and building standards applicable in each zoning district established by chapter 45 of this ordinance. (Ord. 900, 18 Apr 22)

**11-17-2: LOT AREA:** When calculating lot area, non-lake wetlands, and public road easements shall be included, but dedicated public road rights-of-way shall not. Property beneath the normal high-water elevation of a lake regulated within the S district and property within the meander line of a stream shall not be included. (Ord. 900, 18 Apr 22)

**11-17-3: YARDS:**

- A. No lot, yard or other open space shall be reduced in area or dimension so as to make such lot, yard, or open space less than the minimum required by this ordinance.
- B. No required open space provided about any building or structure shall be included as part of any open space required for another structure.
- C. Measurements shall be taken from the nearest point of the wall of a building to the lot line in question, subject to the following qualifications:
  - 1. Cornices, canopies or eaves may extend into the required front yard a distance not exceeding four feet.
  - 2. Fire escapes may extend into the required front yard a distance not exceeding four feet.

3. A landing place or uncovered porch may extend into the required front yard to a distance not exceeding six feet, if the landing place or porch has its floor no higher than the entrance floor of the building. An open railing no higher than three and one-half feet may be placed around such a place.
  4. The above enumerated architectural features may also extend into any side or rear yard to the same extent, except that no porch, terrace or outside stairway shall project into the required side yard distance.
- E. A wall, fence, or hedge may occupy part of the required front, side, or rear yard.
- F. On double frontage or through lots, the required front yard shall be provided to both roads. (Ord. 900, 18 Apr 22)

**XX-17-4: BUILDING CODE:** No building or structure hereafter constructed, occupied, or used or occupied and no building permit shall be granted that does not conform to the requirements of the building code. (Ord. 900, 18 Apr 22)

**XX-17-5: BUILDING HEIGHT:**

- A. Except as regulated by the various zoning districts or other chapters of this ordinance, the maximum height limitation for structures within the town shall be 200 feet.
- B. Structures in excess of 200 feet shall be permitted if there is accompanying the building or other permit application or filing, a letter of clearance from the Federal Aeronautics Administration.
- C. Where the average slope of a lot is greater than one foot rise or fall in seven feet of horizontal distance from the established street elevation at the property line, one story in addition to the number permitted in the district in which the lot is situated shall be permitted on the downhill side of any building.
- D. Except in the WS district, the building height limits established for the respective zoning districts shall not apply to the following:
  1. Height limitations set forth elsewhere in this ordinance may be increased by 100 percent when applied to the following:
    - a. Monuments.
    - b. Flag poles.

- c. Cooling towers.
  - d. Grain elevators.
2. Height limitations set forth elsewhere in this ordinance may be increased with no limitation when applied to the following:
- a. Church spires, belfries or domes which do not contain usable space.
  - b. Water towers.
  - c. Chimneys or smokestacks.
  - d. Radio or television transmitting towers.
  - e. Utility poles and towers.
- E. All other modifications of height restrictions shall be by variance processed in accordance with chapter 6 of this ordinance. (Ord. 900, 18 Apr 22)

**XX-17-6: MINIMUM ELEVATION:** All buildings shall provide a lowest floor elevation a minimum one foot above mottling. (Ord. 900, 18 Apr 22)

**XX-17-7: SINGLE FAMILY DWELLINGS:** Single family dwellings shall be minimum of 24 feet wide and a minimum 720 square feet in area on the main floor, not including an attached private garage. (Ord. 900, 18 Apr 22)

**XX-17-8: TEMPORARY HEALTHCARE DWELLINGS:** The town opts out of the requirements of Minnesota statutes section 462.3593, which defines and regulates temporary family healthcare dwellings, pursuant to authority granted by Minnesota Statutes section 462.3593, subdivision 9. (Ord. 900, 18 Apr 22)

**XX-17-9: BUILDING IN FIRE PRONE AREAS:**

- A. The solid portion of a conifer stand shall be removed for a distance of 30 feet around the perimeter of any building. Single, well-spaced trees may be left in this buffer area.
- B. An alternate, passable driveway shall be installed to allow an escape route to inhabitants of the building, and allow for entrance and movement of emergency equipment should one driveway become obstructed. (Ord. 900, 18 Apr 22)

- C. Exterior finish materials shall conform to and reflect the relative fire danger of the area with roofs and shall be of a fire-resistant nature.

**XX-17-10: CONTROLS DURING CONSTRUCTION:** The following procedures shall be followed during site alteration or building construction:

1. Erosion Control: Soil erosion shall be limited through by staking hay bales on slopes, around lakes, wetlands, streams and ditches; by sodding or seeding and mulching uncovered earth as soon as practical; by grading in stages so as to minimize the time earth is uncovered; by not grading steep slopes; and by minimizing the area where groundcover is removed.
2. Nuisance Control: Noise that would disturb neighbors shall be minimized by not performing noisy work during early morning or evening hours or on weekends. Good judgement should be exercised by builders and town staff in this matter. Also, reasonable appearances shall be maintained by eliminating blowing litter and by considerate storage of building materials and equipment. (Ord. 900, 18 Apr 22)