

CHAPTER 7 HAMLET DISTRICT

“H”

SECTION 7.1: PURPOSE

The "H" HAMLET District establishes a zoning district to allow a mix of residential, public and limited commercial land uses to co-exist within the same zone district. This district is intended to be applied to “historic” hamlets in the rural areas of Dodge County where homes, churches, public lands, and limited commercial uses are currently present. With the enactment of the official zoning regulations, a majority of the existing properties within these unincorporated town sites became legal “nonconformities”, subject to the development and maintenance restrictions of Chapter 6 (NONCONFORMITIES) and the variance processes of Chapter 18 (ADMINISTRATION) of this Ordinance. The purpose of the Hamlet District is to recognize the existing situation of these historic areas and relieve some of the burden on the development, improvement and maintenance of existing properties.

It is not the intent of the District to create new areas to be developed as hamlets or to extend new building rights to non-burdened property owners. As the areas in this district is currently platted, Minnesota Statutes 505 rules apply with regards to the subdivision land or the proposed use of outlots for new buildable lots. Platted areas or outlots may be subject to re-platting based upon the proposed use of the property. The following areas that will be considered eligible for this zone are the existing historical communities of: Concord and Wasioja. Eligible communities shall request the County Board initiate rezoning on their behalf.

These areas should remain relatively low-density so that they do not require public services, facilities or County Road improvements beyond normal maintenance. Uses in these areas should be of the types that produce only a relatively low volume of wastewater that is able to be serviced by an on-site well and waste water disposal system.

SECTION 7.2 PERMITTED USES.

- 7.2.1 Single family primary dwelling units;

- 7.2.2 Pasture operations or other animal husbandry operations which do not meet the definition of a “feedlot” and/or exceed more than one (1) Animal Unit per acre of grazing or confinement area;

- 7.2.3 Government owned lands and facilities, subject to performance standards for the specific use, when applicable;

- 7.2.4 Public hiking/biking trails, parks and other non-motorized recreation areas;
- 7.2.5 Home Occupations, provided all performance standards for the use can be met and adequate sewage/waste treatment is available;
- 7.2.6 Minor Essential Services;
- 7.2.7 Micro-WECS
- 7.2.8 Accessory structures customarily incidental to any of the above permitted uses when located on the same property.

SECTION 7.3 CONDITIONAL USES.

The following uses may be allowed in the "H" HAMLET DISTRICT subject to obtaining a Conditional Use Permit in accordance with the provisions of Chapter 18 of this Ordinance.

- 7.3.1 All uses that currently and legally exist as identified and documented on the date of adoption of this section are considered conforming.

SECTION 7.4 INTERIM USES

- 7.4.1 Limited Rural Business

SECTION 7.5 PERFORMANCE STANDARDS

- 7.5.1 MINIMUM LOT DIMENSIONS

Prior to the creation of new parcels through surveys or recording of deeds splitting property, check with the Environmental Services Department.

For all uses subject to the CUP or IUP process, the size of the lots, structures or building shall be determined during the CUP or IUP process. The minimum lot size shall be that which is necessary to sustain the use for the intended purpose. This includes, but is not limited, the area required for principal and accessory structures, water supply, sewage treatment and any other performance standards for the proposed use listed in Chapter 16. There may be instances in which a Zoning Permit request for a new accessory building may be denied for an existing permitted use if the Department determines that there is not a location identified for sewage treatment system replacement, or the

impervious surface coverage of the lot exceeds the maximum coverage and additional stormwater impacts are not able to be mitigated.

Splits of existing lots less than three acres will not be permitted unless the split results in an increase in all lot sizes. Any existing outlot proposed for new development would be subject to re-platting in accordance with Minnesota Statutes 505 requirements.

All proposed uses and structures for that use shall be compatible with the design of the adjacent structures and/or the character of the Hamlet.

7.5.2 “H” DISTRICT STRUCTURE SETBACKS

The following are the minimum structure setbacks for the “H” District. In addition to these minimum standards, there may be additional setbacks required for the specific USE listed in Chapter 16 (Performance Standards) or the provisions of permit.

RESOURCE/USE	PRINCIPAL STRUCTURE	ACCESSORY STRUCTURE
Principal Structure	NA	NA
Accessory Structure	NA	NA
Septic/Pump Tank	10'	10'
Drainfield	20'	20'***
Well	3'	3'
Township Road	25'	25'
County Road ROW	25'	25'
Property Line	15'	10'
OHW	100'	100'

***Under Minnesota Rules Chapters 7080-7083, the distance of a structure to a drainfield may be reduced if it is determined that the structure will not have an adverse effect on the drainfield. The Department SSTS staff shall make the final determination on when this applies.

7.5.3 “H” DISTRICT USE SETBACKS

Please refer to Chapter 16 (Performance Standards) for additional performance standards and setbacks for the specific USES listed Sections 7.2, 7.3 and 7.4 within the Hamlet District. The most restrictive standard will apply.