

CITY OF HAYWARD, FREEBORN COUNTY

STATE OF MINNESOTA

RESOLUTION 2023-32

RESOLUTION APPROVING RAY HEMENWAY, JR.'S REQUEST TO BUILD A 30' X 100' COMPLETELY ENCLOSED LEAN TO ADDITON ON TO THE NORTH SIDE OF THE EXISTING SHED LOCATED AT

20525 810TH AVENUE, HAYWARD, MN 56043

WHEREAS, in 2018, the City of Hayward in Minnesota adopted the Minnesota Basic Code of Ordinances (MBC) in its entirety;

WHEREAS, the MBC is a book of ordinances, or laws, passed by council, that govern the City of Hayward and reflect current state statutes, case law, and rules that city government officials and residents must follow;

WHEREAS, at the November 13, 2023 Hayward City Council Meeting, Ray Hemenway, Jr. addressed council and requested permission to build 30' x 100' completely enclosed lean to, with a roof, sliding garage door, and gravel pad floor, on to the north side of the existing primary shed on the property located at 20525 810th Avenue, Hayward, MN 56043 – County Parcel ID. 29.040.0160 - [a] tract of land bounded as follows: Commencing at the Southeast corner of the NE ¼ of Section 8, Township 102, Range 20, thence running North 11 rods, thence West 16 rods, thence South 11 rods, thence East to the place of beginning;

WHEREAS, the Hayward City Council requested that the City Clerk research city ordinances pertaining to the building request and report back to council at the December council meeting;

FURTHERMORE, Hemenway was given a copy of the City Construction Authorization form to complete and return to the city office;

WHEREAS, Hemenway returned the completed construction authorization form to the Hayward City Office on November 15, 2023;

WHEREAS, at the December 11, 2023, Hayward City Council Meeting, the city clerk provided research findings as requested by council during the November 13, 2023, council meeting;

WHEREAS, all of the following language is from the Hayward City Code:

§ 151.04 DEFINITION OF TERMS. For the purpose of this chapter, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

ACCESSORY STRUCTURE OR FACILITY. Any building or improvement located on the same lot as the principal use subordinate to a principal use which, because of the nature of its use, can reasonably be located at or greater than normal structure setbacks. **ACCESSORY USE.** A use on the same lot with and incidental and subordinate to the principal use or structure or facility.

BUILDING. Any structure having a roof supported by columns, walls or other means of support for the

shelter or enclosure of ... property.

ZONING ADMINISTRATOR. The City Clerk or other person designated by the City Council to administer and enforce the provisions of this chapter.

§ 151.07 COMPLIANCE WITH ORDINANCE.

(A) No structure or land shall hereafter be used or occupied, and no structure shall hereafter be erected, constructed, reconstructed, moved, or structurally altered, except in conformity with the regulations specified in the Zoning Ordinance for the district in which it is located.

(B) The provisions of this chapter shall be minimum requirements. Where the conditions imposed by any provision of this chapter differ from those required by any statute or other ordinance of the city, the regulations which are more restrictive, or which impose the higher standard shall prevail. Penalty, see § 151.99

§ 151.26 C-2 COMMERCIAL DISTRICT.

(c) Outdoor storage incidental to a principal use.

1. Outdoor storage shall not be located within 100 feet of any residential parcel (note no residential properties within 100 feet of said property – neighbors surrounding property are zoned C2)
2. Outdoor storage shall be screened by suitable materials, such as a fencings or natural landscaping features (trees, shrubbery, berms), as determined by Council. The screen must be, at minimum, equal to the height of the tallest item stored on the site;
3. Outdoor storage must be located in a rear or side yard;
4. Shall be kept in a neat and orderly fashion;
5. Shall not contain any unlicensed or inoperable motor vehicles; and
6. Shall not be operated in a manner as to constitute a nuisance or harborage of rodents or other wild animals.
7. Shall not have speakers or audio equipment which is audible from adjacent parcels.

E) Lot requirements and setbacks. The following minimum requirements shall be observed in C-2 Districts, subject to additional requirements, exceptions and modifications set forth in this chapter:

(3) Setbacks

(c) Rear yards. 15 feet.

WHEREAS, the Hayward City Council requires that all personal and work related items be stored inside the sheds and/or be completely screened by fencings or natural landscaping features (trees, shrubbery,

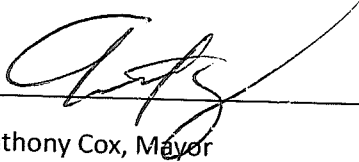
berms), as determined by Council - the screen must be, at minimum, equal to the height of the tallest item stored on the site;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAYWARD, MINNESOTA:

That permission is hereby granted to Ray Hemenway, Jr. to construct a 30' x 100 lean to on to the north side of the existing shed, on the aforementioned parcel of land, as long as all conditions found within the Hayward City's Ordinances are followed;

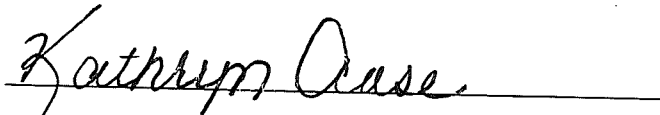
BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAYWARD that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED by the City of Hayward, Minnesota, on **December 11, 2023.**



Anthony Cox, Mayor

Attest:



Kathryn Aase, City Clerk/Treasurer