

CHAPTER 2 ADMINISTRATION

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Section 1 Zoning Administrator

- A. **Office established; Term.** The office of Zoning Administrator is hereby established. The Board of County Commissioners may appoint one or more persons to this office. The term of office of the Zoning Administrator shall be indefinite and shall terminate at the pleasure of the Board of County Commissioners.
- B. **Duties.** The duties of the Zoning Administrator shall include the following:
1. Enforce and administer this Ordinance;
 2. Issue site permits and sewer permits and maintain records thereof;
 3. Receive and forward to the Board of County Commissioners and the County Planning Commission all applications for amendments to this Ordinance;
 4. Receive and forward all applications and petitions for matters to come before the Board of Adjustment;
 5. Receive and forward to the Board of County Commissioners and the County Planning Commission all applications for plats, subdivisions or conditional use permits;
 6. Inspect construction and development to insure that the standards of this Ordinance are being complied with;
 7. Provide and maintain a public information bureau relative to matters arising out of this Ordinance; and
 8. Maintain the Official County Zoning Map

Section 2 Planning Commission

- A. **Creation and membership.** A Planning Commission is established. The Commission is vested with the authority as provided by this Ordinance and by Minnesota Statutes, Chapter 394 as amended. The Commission shall be composed of not less than eleven (11) members appointed by the Becker County Board, consisting of two persons from each Commissioner's District and one Commissioner. A term shall be for a period of three (3) years with one third of the members appointed each year. Each member shall be entitled to one (1) vote. No voting member of the Commission shall have received, during the two (2) years prior to appointment, any substantial portion of income from business operations involving the development of land within the county. An appointment to fill a vacancy shall be only for the unexpired portion of the term.
- B. **Quorum.** A quorum of the Planning Commission members shall be required to conduct office business. A quorum shall consist of fifty percent of the members plus one.
- C. **Officers.** The Planning Commission shall elect a chair and secretary from among its members.
- D. **Duties and responsibilities.** The Planning Commission shall review and make recommendations to the Board of County Commissioners on their findings on the following applications:
1. Zone change amendments to the Official Zoning Map.

2. Conditional use permits;
3. Applications for plats or the subdivision of land;
4. Planned unit developments: residential or commercial;
5. Non-shoreland multi-unit developments and shoreland conservation subdivision developments;
6. Comprehensive plan; or
7. Text amendments to the zoning ordinance.

Section 3 Board of Adjustment

- A. **Creation and membership.** A Board of Adjustment is established. The Board is vested with the authority as provided by this ordinance and by Minnesota Statutes, Chapter 394, as amended. The Board shall consist of five (5) members plus two (2) alternate members. A quorum shall consist of three (3) members. Three (3) of the board members shall be from the unincorporated area of the County and one (1) shall be a member of the County Planning Commission. No elected officer of the County or employee of the Board of County Commissioners shall serve as a member of the Board of Adjustment. The Board members shall be appointed by the Board of County Commissioners.
- B. **Officers.** The Board of Adjustment shall elect a chair and vice chair from among its members and shall appoint a secretary who need not be a member of the board.
- C. **Rules and record keeping.** The Board of Adjustment shall adopt rules for the transaction of its business and shall keep a public record of its transactions, findings and determinations.
- D. **Alternate member.** An alternate member shall attend all meetings and shall vote when authorized by the Chair. This authorization shall begin upon the absence, physical incapacity or disqualification of a regular member, or the abstention from voting by a regular member. The alternate member shall take full part in the review and discussion of an application before the Board and shall receive compensation from the County as would the regular members.
- E. **Meetings.** The meetings of the Board of Adjustment shall be held at the call of the chairman and at such other times as the Board in its rules or procedure may specify.
- F. **Conflict of interest.** Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a regular board member from voting shall be decided by majority vote of all regular board members except the member who is being challenged.
- G. **Powers.** The Board of Adjustment shall have the following powers:
 1. To grant variances from the strict application of any of the provisions of this Ordinance.
 2. To hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing this ordinance.
 3. To permit the extension of a zoning district where the boundary line divides a lot in one ownership at the time of the passage of this Ordinance, but the extension of any district shall not exceed one hundred (100) feet.
 4. Consideration of Townships. In exercising its powers the Board of Adjustment shall consider the town board's recommendation when the Board of Adjustment's decision directly affects land within the township.