

SECTION X

ADMINISTRATION

10.1 Zoning Administration.

1. The Zoning Administrator shall be appointed by the City Council.
2. Duties of the Zoning Administrator:
 - A. Determine if applications are complete and comply with the terms of the Ordinance.
 - B. Direct or conduct inspections of building, sewage systems and other uses of the land to determine compliance with the terms of the Ordinance.
 - C. Maintain permanent and current records of the Ordinance including, but not limited to, maps, amendments, Zoning or Use Permits, Conditional Use Permits, Variances, appeals and applications, and a separate file for future conditions or expiration of permits.
 - D. Review, file and forward applications for appeals, Variances, Conditional Uses and Zoning amendments.
 - E. Enforce the provisions of this Ordinance by reviewing complaints and by pursuing contacts with any violator in accordance with standard procedures as adopted and modified from time to time and with the approval of the Planning Commission and City Council instituting with the City Attorney in the name of the City any appropriate actions or proceedings against any violator.
 - F. Attend meetings and provide research and findings to the Board of Adjustment/Planning Commission.
 - G. Issue permitted Zoning Permits upon application for structures on lots conforming to this Ordinance when the conditions of the Ordinance are met; to issue Conditional Use Permits when directed by the City Council; to issue notices of a Zoning change when directed by the City Council.
 - H. To mail a copy of the finding to an applicant.
 - I. To file copies of Conditional Use Permits and Variances with the County Recorder.
 - J. To communicate with the DNR where required by the Ordinance or State Law.
 - K. To ensure that the City Council, Planning Commission and Board

Adjustment review land use application or public hearing applications as prescribed by State Statutes.

- L. To conduct periodic and final inspections with a member of the Planning & Zoning Committee, of property subject to conditions of approval relating to variances, conditional use permits and other land use applications.
- M. To issue *Land Use Certificates of Compliance*.

- 3. The Zoning Administrator and their duly authorized deputies shall have the right to trespass within the City of East Gull Lake in the pursuit of their duties.

10.2 Board of Adjustment.

- 1. The Board of Adjustment shall consist of the members of the Planning Commission, and shall hold it's meetings concurrently with the Planning Commission meetings on a monthly or more frequent basis at the discretion of the Chairman.
- 2. Duties of the Board of Adjustment.
 - A. To consider appeals from the action of the Zoning Administrator wherein the Board will take the authority of the Administrator.
 - B. To hold hearings on Variances after proper public notice in the official newspaper and individual notice by regular mail to any property owners within a minimum of 350 feet distance of any Variance in question. Such notice shall be given at least 10 days before the hearing date.
 - C. To recommend action on Variances within the required time frame to the City Council with complete findings to justify the action.
 - D. To keep a record of it's proceedings, notifications and justifications for it's actions.

10.3 Planning Commission.

- 1. Organization of the Planning Commission.
 - A. The Planning Commission shall consist of 5 members and one alternate member appointed by the City Council. A Council member shall be a non-voting additional member and shall act as a liaison to the City Council. Each member other than the council liaison shall hold office for 4 years and terms shall be staggered.

The Mayor shall appoint the council liaison on an annual basis with the City Council concurrence. Vacancies shall be filled for the remainder of the term by the City Council.

- B. The Commission shall elect a chairman from its members for a term of one year.
- C. The Commission shall meet a minimum of eleven times a year, once each month except December, at a regular meeting unless the docket is empty in which case the Mayor can approve suspension of a meeting. Special meetings shall be advertised in the official newspaper and posted in the City Hall at least 10 days in advance of the meeting.

2. Duties of the Planning Commission under this Ordinance.

- A. To hold hearings after proper public notice in the official newspaper and individual notice by regular mail of any property owners within a minimum of 350 feet of any land use in question. Such notices shall be given at least 10 days before the hearing date.
- B. To decide within the required time frame the following:
 - 1. Recommendations to the City Council regarding requested Zoning District boundary changes or amendments to the Ordinance.
 - 2. To review and provide recommendations to the City Council on proposed plats or floor plans and to provide recommendations on final plats and final floor plans to the City Council.
 - 3. To review and approve all metes and bounds property divisions within the City.
 - 4. To review and provide recommendations to the City Council on requests for Conditional Use Permits with complete findings to justify the decision.
 - 5. To periodically review the Zoning map and Ordinances and consider their role in shaping the growth of the community and to recommend changes to the City Council of these documents to guide growth and current land use toward the goals of the Comprehensive Plan.
 - 6. To recommend on a timely basis that the City Council review the Comprehensive Plan when appropriate.

3. It shall be the duty of each individual member to be present at all meetings of the Planning Commission and Board of Adjustment. More than 3

absences in any one year period shall be grounds for replacement by the City Council.

10.4 City Council.

1. The City Council shall have the following duties under this Ordinance:
 - A. Appoint the Zoning Administrator by a majority vote, or terminate the Zoning Administrator by a 4/5 vote.
 - B. Confirm the appointments of the Mayor to the Board of Adjustment/Planning Commission members by a majority vote, or to remove members by a 4/5 vote.
 - C. To decide within the required time frame the following:
 1. Recommendations from the Planning Commission for changes in Zoning District boundaries.
 2. Recommendations from the Planning Commission for acceptance of proposed plats, Conditional Use Permits, final plats and condominium plans.
 3. Recommendations from the Board Adjustment for acceptance of Variances from this Ordinance and the Subdivision Ordinance.
 - D. To hear appeals from the actions of the Board of Adjustment and the Planning Commission where their action is normally final.

10.5 Conditional Use Permits.

1. Conditional Use Permits shall be issued to the property for structures or other specified uses, as recommended by the Planning Commission after a public hearing and approved by the City Council. All applications for a Conditional Use Permit shall be submitted to the Zoning Administrator 30 days ahead of the hearing date, accompanied by a certificate of survey (unless waived by the Zoning Administrator) showing the details of the proposal and an accurate legal description, along with the appropriate fee. The fee or contract owner of the property shall sign the application. The Zoning Administrator shall notify all property owners within a minimum of 350 feet by regular mail and shall advertise the hearing once in the legal section of the official newspaper at least 10 days ahead of the public hearing. The Zoning Administrator shall send the same notice 10 days in advance of this hearing to the DNR if the proposed is in shoreland. At the applicant's option, the applicant may request a sketch plan review with no action by the Planning Commission and with no fee by giving 14 days

notice thereof to the Zoning Administrator, meeting time permitted.

2. Submissions for C.U.P. The applicant shall complete the Conditional Use Permit application approved by the City Council. The application shall contain submittal requirements, criteria for approval, procedure for consideration and City contact information. The City shall not accept applications where the applicant has past due fees or charges due to the City until the account is made current.
3. In permitting a new Conditional Use or alteration of an existing Conditional Use, the Planning Commission may impose, in addition to the standards and requirements expressly specified by this Ordinance, additional conditions that the Planning Commission considers necessary to protect the best interest of the surrounding area or the City as a whole. These conditions may include, but are not limited to the following:
 - A. Increasing the required lot size or yard dimension.
 - B. Limiting the height, size or location of buildings.
 - C. Controlling the location and number of vehicle access points.
 - D. Increasing the street width.
 - E. Increasing or decreasing the number of required off-street parking spaces.
 - F. Limiting the number, size, location or lighting of signs.
 - G. Requiring berming, fencing screening, landscaping or other facilities to protect adjacent or nearby property.
 - H. Designating sites for open space.
4. The Planning and Zoning Commission shall decide the issue with consideration to the following:
 - A. The following must be met:
 1. The use or development is an appropriate conditional use in the land use zone.
 2. The use or development, with conditions, conforms to the comprehensive land use plan.
 3. The use with condition is compatible with the existing neighborhood.
 4. The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City.
 - B. The following must be considered:

1. The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity.
 2. The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
 3. The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
 4. The conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or an indifference with traffic on surrounding public thoroughfares.
 5. Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.
 6. Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner, that no disturbance to neighboring properties will result.
 7. The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.
 8. The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.
5. When costs to the City involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to retain in reviewing permits.
 6. Conditional Use Permits may be transferable where requested by an applicant and approved by the Council.
 7. Violations of the conditions of a Conditional Use Permit shall automatically suspend the permit. A review of the violation shall be conducted by the Planning Commission. The Planning Commission shall

make a recommendation to the City Council on conditions for reinstating the permit or revocation. The City Council shall make the final decision on reinstating or revoking the suspended permit.

8. Failure by the owner to act on a Conditional Use Permit within 12 months, or failure to complete the work under a Conditional Use Permit within 2 years, unless extended by the Planning Commission, shall void the permit. A second extension shall require a new public hearing. This provision shall apply to any Conditional Use Permit outstanding at the time of the Ordinance adoption.
9. Appeals from the action of the City shall be filed with District Court within 30 days after Council action.
10. The Conditional Use Permit shall be filed with the County Recorder within 45 days.
11. Planned Unit Development Procedure and Submissions.
 - A. Procedure.
 1. The applicant may submit a concept plan to the Planning Commission for review and discussion at least 14 days prior to the meeting.
 2. Based on discussion, the applicant can formally apply by submitting preliminary documents, prepared with professional help, including as a minimum the C.U.P. application, and further shall contain the following:
 - a. Proposed concept of plan operation.
 - b. Proposed plat or floor plan, if applicable.
 - c. Proposed recreational amenities.
 - d. Proposed timing.
 - e. Proposed final security.
 - f. Proposed development contract.
 3. The Planning Commission shall review the submissions and make a recommendation to the City Council within a reasonable timeframe with a complete finding of facts.
 4. The City Council shall review the recommendations and render a decision within a reasonable time.
 5. The applicant shall then proceed within the time frame accepted under the preliminary proposal to provide final documents as required, including:

- a. Financial security.
- b. Development contract.
- c. Title opinion.
- d. Final plat or floor plan.
- e. Surveyors plat check.
- f. Final covenants and associated documents.
- g. Final time schedule.
- h. Final site plan which will control development.
- i. MPCA/MnDH approval letter on sewage system & water supply.

10.6 Variances.

1. Variances shall not create a use not provided for in a zoning district.
2. Variances shall be issued to the property and are not transferable.
3. Variances shall be issued to the property for structures or other specified uses, as recommended by the Planning Commission after a public hearing and approved by the City Council. All applications for a Variance shall be submitted to the Zoning Administrator **30** days ahead of the hearing date, accompanied by a certificate of survey (unless waived by the Zoning Administrator) showing the details of the proposal and an accurate legal description, along with the appropriate fee. The fee or contract owner of the property shall sign the application. The Zoning Administrator shall notify all property owners within a minimum of 350 feet by regular mail and shall advertise the hearing once in the legal section of the official newspaper at least 10 days ahead of the public hearing. The Zoning Administrator shall send the same notice 10 days in advance of this hearing to the DNR if the proposed is in shoreland. At the applicant's option, the applicant may request a sketch plan review with no action by the Planning Commission and with no fee by giving 14 days notice thereof to the Zoning Administrator, meeting time permitted.
4. Submissions for Variances. The applicant shall complete the Variance application approved by the City Council. The application shall contain submittal requirements, criteria for approval, procedure for consideration and City contact information. The City shall not accept applications where the applicant has past due fees or charges due to the City until the account is made current.

5. Variances shall be decided within the required time frame with consideration for the following:
 - A. The strict interpretation of the Ordinance would create undue hardship, and
 - B. The strict interpretation of the Ordinance would be impractical because of circumstances relating to lot size, shape, topographic or other characteristics of the property not created by the land owner, and
 - C. The deviation from the Ordinance with any attached conditions will still be in keeping with the spirit and intent of the Ordinance, and
 - D. The variance will not create a land use not permitted in the zone, and
 - E. The variance will not alter the essential character of the locality, and
 - F. The variance is not for economic reasons alone, but reasonable use of the property does not exist under the Ordinance.
6. When costs to the City involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to retain in reviewing permits.
7. Failure by the owner to act within 6 months on a Variance unless extended by the Board of Adjustment shall void the Variance. A second extension shall require a new public hearing. This provision shall apply to any Variance outstanding at the time of the Ordinance adoption.
8. Appeals from the action of the City Council shall be filed with the District Court within 30 days after Council action.
9. The Variance shall be filed with the County Recorder within 45 days.

10.7 Zoning Permits.

1. Zoning Permits shall be issued for all new structures and any change in structure exterior, plumbing or number of bedrooms, any construction or repair of a sewage system and any grading and filling in shoreland not

exempted by this ordinance. No person shall assemble, install, repair, remodel, remove or construct any structure prior to applying for and receiving a Zoning Permit.

2. Where a proposed use requires action of the Board of Adjustment, Planning Commission or Council or posting of financial security, said action shall occur and the Conditional Use Permit, Variance, Zoning District change, final plat plan approval, approval of metes and bound division shall be issued or security posted before the Zoning Permit is issued.
3. The City shall not accept applications where the applicant has past due fees or charges due to the City or the County until the account is made current.
4. The Zoning Permit shall contain the parcel number of the property and the signature of the fee or contract owner of the property or his authorized agent.
5. Unless extended by the Zoning Administrator, where a Zoning Permit has been issued but no action has occurred within 12 months, the Zoning Permit shall be null and void. Exterior work on the structure shall be complete in 18 months from the issuance of the Zoning Permit. The time limit may be extended by the Zoning Administrator for good cause. A second extension shall be decided by the Planning Commission.
6. Granting of a Zoning Permit shall occur when all requirements of the Ordinance have been met, but shall not be considered a statement of compliance with regional, State or Federal codes, statutes or laws or approval of the design of the structure or accessories, or description of the property. Subsequent actions of the Zoning Administrator shall not be considered acceptance of structural components or workmanship, but rather shall be for the purpose of determining general compliance with the Ordinance.
7. If the Zoning Administrator determines that any violation of the permit or other section of the Ordinance has occurred, the permit shall become null and void.

10.8 Subdivision

1. Pre-Application Meeting. At the sub divider's option, a pre-application meeting shall be held including the subdivider, City Zoning Administrator, City Engineer, if requested by the Zoning Administrator, and the City Clerk. Discussion at this meeting shall be limited to procedure, Ordinance requirements and timing.
2. Sketch Plan Review Meeting with Planning Commission. At the subdivider's option, a review of a sketch plan will be made by the Planning Commission prior to a public hearing. Discussion at this meeting shall be limited to procedure, Ordinance requirements and timing.
 - A. The subdivider shall submit 9 copies of the sketch plan, 14 days prior to the normal Planning Commission meeting, and request a position on the formal agenda.
 - B. The Planning Commission shall not take action on the proposal, but may make suggestions to facilitate the preparation of an approvable preliminary plat or plan.
3. Metes and Bounds Lot Split Approval. Where appropriate, under the provisions of this Ordinance, the subdivider shall submit documents containing the essential information of a proposed plat or plan and including dimensions computed to one hundredth (1/100th) of a foot and bearing computed to equivalent accuracy to the Planning Commission for approval. The review of the Planning Commission need not include a public hearing.
 - A. The subdivider shall submit 9 copies of his proposal to the Zoning Administrator 30 days prior to the normal Planning Commission meeting and pay the corresponding fee.
 - B. The Zoning Administrator shall review the proposed lot split for compliance with the Zoning Ordinance including a field review at his discretion.
 - C. The Planning Commission make a recommendation to the Council on approval of the lot split within a reasonable time based on the resulting lots complying with the Ordinance, the feasibility of the resulting lots for their intended purpose, and the provision for access to adjacent properties. Conditions may be attached to an approval requiring appropriate improvements. No more than one (1) split into two (2) parcels shall be allowed in a three (3) year period of time. An additional parcel for right of way or commonly owned driveway access may also be allowed.
 - D. The City Council shall review the recommendation of the Planning Commission and make the final determination.

- E. The resulting land descriptions shall be prepared and signed by a Registered Land Surveyor and shall comply with all provisions of this Ordinance.
 - F. Failure of the subdivider to act after an approval of a Metes and Bounds subdivision within one (1) year shall void the approval unless extended by the Planning Commission. A second extension shall require a new public hearing.
4. Preliminary Plat or Preliminary Condominium Plat Approval. The preliminary Plat or Preliminary Condominium plan approval constitutes formal approval of the concept and design of the subdivision. The Planning Commission review shall include a public hearing and may include a field review at their discretion. All reports of City staff, DNR and Road authorities shall be reviewed and included in the hearing record. Related variance requests, rezoning requests and conditional use requests shall be heard concurrently with a subdivision request.
- A. The subdivider shall submit 9 copies of his proposed plat or condominium plat to the Zoning Administrator 30 days prior to the normal Planning Commission meeting, pay the required fees and request a public hearing.
 - B. The Zoning Administrator shall notify all property owner's within 350 feet, by regular mail and shall advertise the hearing once in the legal section of the official newspaper at least ten (10) days ahead of the public hearing, including sufficient legal property description in the advertisement. The Zoning Administrator shall distribute one (1) copy to each Planning Commission member, if the proposal is adjacent to a County Highway, one (1) copy to the County Engineer, and if the plat is in shorelands, one (1) copy to the DNR postmarked at least ten (10) days before the public hearing for review and comment.
 - C. The Zoning Administrator shall review the proposed plat or plan as to content standards, necessary variances, from the Zoning Ordinance and this Ordinance, necessary rezoning or necessary conditional use permits, and advise the subdivider and the Planning Commission of his findings.
 - D. The subdivider shall make addition application for the necessary permits at least 30 days prior to the normal Planning Commission or Board of Adjustment meeting as applicable, if subdivider desires to have a concurrent public hearing for variance, conditional use or rezoning.
 - E. The Planning Commission shall hold the Public Hearing and may

continue the hearing as it deems necessary to allow all factual input it deems necessary to allow a decision. Lack of submission of comments by outside agencies shall be construed to mean the agency has no objections.

- F. The Planning Commission shall recommend the approval of the Preliminary Plat or Preliminary Condominium Plat to the Council within one hundred twenty (120) days of submission, and the findings shall be sent to the subdivider. The Planning Commission shall consider the following in it's decision:
 - i. Is the property properly zoned?
 - ii. Does the proposal conform to the requirements of the Zoning Ordinance?
 - iii. Does the proposal conform to the requirements of the Subdivision Ordinance?
 - iv. Have the concerns of the affected agencies been addressed?
 - G. The City Council shall review the findings and recommendations of the Planning Commission at their next regular meeting and make the final determination.
 - H. The City Council will hear any appeal within thirty (30) days of the Planning Commission action and will re-notify anyone noticed for the Public Hearing. Said appeals will be filed with the City Clerk within fifteen (15) days of the decision.
 - I. Failure of the subdivider to act after an approval of Preliminary Plat or Preliminary Condominium Plat within one (1) year shall void the approval unless extended by the Planning Commission. A second extension shall require a new public hearing.
5. Final Plat or Final Condominium Plat Approval. Upon approval by the Planning Commission, the subdivider shall cause the Final Plat or Final Condominium Plat, documents and concurrent documents to be prepared and submitted to the Planning Commission for recommendation to the City Council. All coincident variance requests, conditional use permit requests and/or rezoning requests shall either have been decided or be pending approval simultaneously with the Final Plat.
- A. The subdivider shall submit 9 paper copies of the Final Plat or Final Condominium Plat and concurrent documents to the Zoning Administrator 30 days prior to the Planning Commission meeting.
 - B. The Zoning Administrator shall distribute the information received to the City Attorney and City Engineer, who shall review the submission for conformance with the standards and comment thereupon to the Planning Commission. The Zoning Administrator

shall compare the Final Plat or Final Condominium Plat to the Preliminary Plat or Preliminary Condominium Plat and comment thereupon. The Attorney shall ascertain that all parties with an interest in the parcel to be divided are indicated as signers of the documents. The Engineer shall determine that the improvements required have been completed or have been included in a development contract and that the required security has been posted with the City Council.

- C. The Planning Commission shall review the reports of the Attorney, Engineer and Zoning Administrator and make recommendation to the City Council within 45 days of submission. The Planning Commission shall consider the following:
 - i. Has the applicant complied with all conditions and requirements upon which the preliminary approval is expressly conditioned wither through performance or execution of appropriate agreements assuring performance?
 - ii. Does the Final Plat or Final Condominium Plat agree with the Preliminary Plat or Preliminary Condominium Plat?
 - iii. Does the City Attorney agree that all parties with an interest in the property are shown as signers of the document?
 - iv. Does the City Engineer agree that all improvements required are satisfactorily completed or are guaranteed by contract with adequate financial security.?
 - v. Does an independent Professional Land Surveyor agree the final document meets the statutory requirements?
 - vi. Has financial security been posted in the appropriate amount
- D. The City Council shall review the proposal at their next regular meeting and decide the approval within sixty (60) days of the submission of the Final Plat or Final Condominium Plat to the City.
- E. Following approval by the City Council, the subdivider shall submit to the Zoning Administrator, two (2) double mounted cloth backed prints on card stock (hard-shells) and two (2) mylar prints of the Final Plat or Final Condominium Plat for signature by the Mayor and Clerk. The Zoning Administrator shall send one copy of any approved Final Plat within shorelands to the DNR postmarked within ten (10) days of approval.
- F. Upon signature, the subdivider shall file all pertinent documents with the County Recorder. Failure to file a Final Plat or Plan, within two (2) years shall void the approval unless extended by the City Council.

10.9 Fees.

The Council shall adopt a schedule of fees from time to time for all permits. No permit shall be issued, or request brought before the Board of Adjustment or Planning Commission until the fees are paid. All late applications shall require the payment of three times the normal fee unless specifically stated otherwise in the fee schedule.

The City shall not accept applications where the applicant has any past due fees or charges due to the City until the account is made current.

10.10 Financial Requirements

Applications will not be accepted as complete where an applicant has any utility charges, delinquent taxes, delinquent assessments or other fees past due with the City or County. The past due account must be paid to bring the account current before an application will be accepted.

When costs associated with processing or reviewing an application exceed the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to hire in reviewing permits. Outstanding fees shall be paid before issuance of the permit and any construction of the project begins.

10.11 Required Decision Making Time Frames.

1. Pursuant to Minnesota Statutes, Chapter 15.99, as amended, the City of East Gull Lake establishes the following time frames for decisions made on all land use requests before the City, including Variances, Conditional Use Permits, Zoning District Boundary Changes, Zoning Ordinance Amendments, Appeals of Decisions by the Zoning Administrator or Planning Commission and Zoning Permits.
 - C. It shall be the applicant's responsibility to submit a completed application packet, which shall by definition include the application forms approved by the City, site plan with all information required by this ordinance and remit proper fees for the land use application. Once the Zoning Administrator or appointee has received the completed application packet, the review time frame shall

commence. The Zoning Administrator shall notify applicants in writing when a completed application has been received.

- D. The City shall within sixty (60) days of the receipt of a completed application, make a decision on the request. A determination shall be either a recommendation to another body or a final action approving or denying a request. Time frames for other reviews required by statutes or other government units shall not be counted as time during the local decision making process. Once the other agency or governmental unit has made their determination, the time frame for local review shall again commence.
- E. If the City is unable to make a proper determination within the prescribed sixty (60) day time frame, it shall have the right to extend the time frame another sixty (60) days. The City shall, in writing, notify the applicant that it is unable to complete the review process and state the specific reasons why the process must be extended.
- F. If the City is unable to make the final determination within 120 days of the original application date, it shall, in writing, request an extension from the applicant. The applicant shall have the authority to approve or deny the request for an extension.

10.12 Appeals.

1. Appeal of Decision or Action of Zoning Administrator to the Board of Adjustment. Appeals of a decision or action of the Zoning Administrator may be made to the Board of Adjustment as specified in subsection 10.2(2)(A) by notifying the City Clerk, in writing, of the intent to appeal. Written notice of appeal shall state the nature of the appeal, specific decision(s) or action(s) subject to the appeal, and any relevant documentation or material evidence. Appeals of actions of the Zoning Administrator shall be received by the City Clerk at least twenty days prior to the date of the next regularly scheduled Board of Adjustment meeting in which the appeal is scheduled for action by the Board. Appeals of actions by the Zoning Administrator shall be made to the City Clerk within 30 days after action by the Zoning Administrator.
2. Appeal of Decision or Action of Board of Adjustment or Planning Commission to the City Council. Appeals of an action of the Board of Adjustment or Planning Commission may be made to the City Council as specified in subsection 10.4(1)(D) by notifying the City Clerk, in writing,

of the intent to appeal. Written notice of appeal shall state the nature of the appeal, specific decision(s) or action(s) subject to the appeal, and any relevant documentation or material evidence. Appeals of actions of the Board of Adjustment or Planning Commission shall be received by the City Clerk at least twenty days prior to the date of the next regularly scheduled City Council meeting in which the appeal is scheduled for action by the Council. Appeals of actions by the Board of Adjustment or Planning Commission shall be made to the City Clerk within 30 days after action by the Board of Adjustment or Planning Commission.

3. Appeal of Decision of City Council to the District Court. Appeals of an action by the City Council shall be made to the District Court by filing a complaint with the Court within 30 days of the date of action or decision by the City Council.
4. Fees. All fees for appeals of decisions of the Zoning Administrator, Board of Adjustment or Planning Commission shall be paid at the time of submission of a notice of intent to appeal to the City Clerk. All fees for appeals of decisions of the Zoning Administrator, Board of Adjustment or Planning Commission shall be set according to the schedule of fees approved by the City Council.