

BENTON COUNTY, MINNESOTA

WHEREAS, the Benton County Planning Commission on its own motion instituted proceedings to amend Sections 7.1.2, 7.1.5, 7.2.1 and 7.2.4 of Ordinance Number 113, the Benton County Development Code; and

WHEREAS, on December 2, 1981, Notice of Intent to Amend the Benton County Development Code and Notice of Public Hearings thereon was published in the official newspaper; and

WHEREAS, on December 17, 1981, the planning commission held a public hearing thereon and recommended same to the Benton County Board of Commissioners for approval and passage; and

WHEREAS, on January 5, 1982, the Board of County Commissioners held a public hearing thereon and approved the proposed zoning amendments,

NOW, THEREFORE, BE IT ORDAINED by the County Board of Commissioners that Sections 7.1.2, 7.1.5, 7.2.1 and 7.2.4 of Ordinance Number 113 and 127 (Benton County Development Code) be and hereby is amended to read as follows:

7.1.2 Conditional Uses:

Single family dwellings, including energy efficient subterranean dwellings and mobile homes. In no event shall a density of more than four (4) dwellings, including farm dwellings and non-farm dwellings, be permitted within a quarter-quarter section, according to the U.S. government survey, with a minimum lot size per dwelling of one and one half (1.5) acres, subject to the following conditions:

- a. It can be demonstrated that the soil is not "prime" or "good" farmland, but that it is "marginal" as defined in the Benton County Land Use Plan, Appendix I, the Soil Survey of Benton County, Minnesota and Appendix II, Farmland Classification.
- b. The parcel abuts an existing public road.
- c. The proposed homesite will not encroach upon an existing or potential irrigation system.
- d. The proposed site will not create a residential density of more than six dwellings, including farm dwellings, within one half ($\frac{1}{2}$) mile of an existing feed lot.

7.1.5 An existing dwelling, constructed on a farm or on a tract of not less than one and one half (1.5) acres on or before May 1, 1980, may be divided from such farm or tract of land and continue as a single family dwelling if it complies with the following conditions:

- a. The dwelling and accessory buildings shall be retained on a minimum size lot of not less than 1.5 acres, abutting an existing public road.
- b. The majority of the soil is not prime or good farmland, but that it is "marginal" as defined in the Benton County Land Use Plan, Appendix I and II.
- c. Any future dwelling on the 40 acres or quarter-quarter section will be a conditional use, meeting conditions a., b., c. and d. of Section 7.1.2 of this Ordinance.


7.2.1 Permitted Uses:

Same as "A-1" except for:

Single family dwellings, including mobile homes and energy efficient subterranean dwellings. In no event shall a density of more than four (4) dwellings, including farm dwellings and non-farm dwellings, be permitted within a quarter-quarter section, according to the U.S. government survey, with a minimum lot size per dwelling of one and one half (1.5) acres with the following conditions:

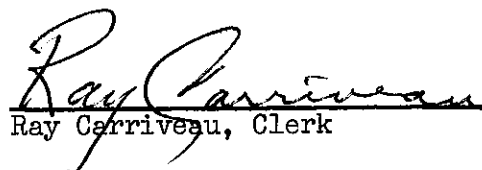
- a. The parcel abuts an existing public road.
- b. The proposed homesite will not encroach upon an existing or potential irrigation system.
- c. The proposed site will not create a residential density of more than six dwellings, including farm dwellings, within one half ($\frac{1}{2}$) mile of an existing feed lot.

APPROVED AND ADOPTED by the Board of County Commissioners this 5th day of January, 1982.



Wm. F. Van Diest, Chairman

ATTEST:



Ray Carriveau, Clerk