

BENTON COUNTY, MINNESOTA

WHEREAS, the Benton County Planning Commission on its own motion instituted proceedings to amend Ordinance Number 185 (Benton County Development Code); and

WHEREAS, on August 1, 1989, Notice of Public Hearings and Intent to Amend Benton County Development Code was published in the Official newspaper and mailed to the governing bodies of all towns and municipalities located within Benton County; and

WHEREAS, on August 17, 1989, the planning commission held a public hearing thereon and recommended to the Benton County Board of Commissioners that said proposed amendments be approved; and

WHEREAS, on September 5, 1989, the Board of County Commissioners held a public hearing thereon and approved the proposed zoning amendments, as revised,

NOW, THEREFORE, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS that Ordinance Number 185 (Benton County Development Code) is amended as follows:

ARTICLE I

Renumber existing Section 7.1.10 as subparagraph (a.)

ARTICLE II

Delete Section 7.1.24 (Conditional Uses) and renumber as Section 7.1.10(b.), (Permitted Uses), to read as follows:

7.1.10(b.) An existing dwelling, constructed on a farm (as defined) on or before May 1, 1980, may be divided from such farm and continue as a single family dwelling as a permitted use if it meets the following requirements:

1. The dwelling and accessory buildings are retained on a minimum size lot of not less than 1.5 acres, abutting an existing public road.
2. The lot shall have a minimum width of two-hundred fifty (250) feet abutting a public road, and a minimum depth of two-hundred fifty (250) feet.

3. A legal description of the property being divided from the farm is filed with the Planning & Zoning Administrator prior to recording the deed in the Benton County Recorder's Office.
4. Any future dwelling on the farm or quarter-quarter section will be a conditional use, meeting the criteria under Section 7.1.21 of this Ordinance.

ARTICLE III

Renumber existing Section 7.2.10 as subparagraph (a.) to read the same as Section 7.1.10(a.)

ARTICLE IV

Add Section 7.2.10(b.) to read as follows:

- 7.2.10(b.) An existing dwelling, constructed on a farm (as defined) on or before May 1, 1980, may be divided from such farm and continue as a single family dwelling as a permitted use if it meets the following requirements:
1. The dwelling and accessory buildings are retained on a minimum size lot of not less than 1.5 acres, abutting an existing public road.
 2. The lot shall have a minimum width of two-hundred fifty (250) feet abutting a public road, and a minimum depth of two-hundred fifty (250) feet.
 3. A legal description of the property being divided from the farm is filed with the Planning & Zoning Administrator prior to recording the deed in the Benton County Recorder's Office.
 4. Any future dwelling on the farm or quarter-quarter section will be a conditional use, meeting the criteria under Section 7.2.21 of this Ordinance.

ARTICLE V

Amend Section 3.51, the definition of Feedlot, to read as follows:

- 3.51 Feedlot: a fenced land area or building or combination of fenced land areas and buildings intended for the confined feeding, breeding, raising or holding of at least ten animal units and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of these rules, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be feedlots. A feedlot does not cease to be a feedlot merely because confined

feeding, breeding, raising or holding of animals is not actually taking place at a given time, however, such areas, buildings or combinations which have not been used for confined breeding, raising or holding of animals for a five-year period shall not be considered a feedlot until such use resumes.

APPROVED AND ADOPTED by the Benton County Board of Commissioners this 5th day of September, 1989.

Don Winkelman Sr.

Donald Winkelman, Sr., Chairman
Benton County Board of Commissioners

ATTEST:

William E. Scott, III

William E. Scott, III, Clerk

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OFFICE OF
BENTON COUNTY RECORDER
BENTON COUNTY, MN
CERTIFIED TO BE FILED
AND/OR RECORDED ON

APR 4 2 48 PM '90

ALICE O. ENGELMEYER
COUNTY RECORDER

BY *Jw* DEPUTY