

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 any other ordinance, if any, amending Ordinance Number 185, and

WHEREAS, on October 24, 1995, Notice of Public Hearings to Consider Amending the 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 November 9, 1995, the planning commission held a public hearing thereon and recommended to the Benton County Board of Commissioners that said amendment be approved; and

WHEREAS, on November 21, 1995, the Board of County Commissioners held a public hearing thereon and approved the proposed amendment,

NOW, THEREFORE, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS:

Amend Section 4.2.1(1) to read as follows:

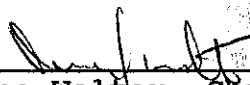
No nonconforming use or nonconforming structure shall be extended, expanded, enlarged or increased in intensity, except a nonconforming structure meeting the requirements of paragraph (7) or of Section 6.4.1(b).

Add paragraph (7) to Section 4.2.1 to read as follows:

Notwithstanding paragraph (1) of this section, any otherwise lawful structure which is rendered nonconforming solely by reason of expansion of a public road right of way through eminent domain, purchase or other permanent governmental action may be extended, expanded, enlarged, or structurally altered; provided, that any extension, expansion or alteration shall not encroach upon the public road right of way to any greater

extent than the existing structure and must comply with all other applicable setback restrictions and requirements of this ordinance.

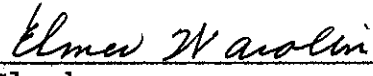
APPROVED AND ADOPTED by the Benton County Board of Commissioners this 21st day of November, 1995.



Duane Walter, Chairman
Benton County Board of Commissioners



ATTEST:



Clerk,
Benton County Board of Commissioners

231750

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

Nov 21 3 31 PM '95

ALICE C. ENGELMEYER
COUNTY RECORDER

BY  DEPUTY