

ORDINANCE NUMBER 202

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 July 31, 1990, 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 16, 1990, 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 August 21, 1990, the Board of County Commissioners held a public hearing thereon and on November 6, 1990 approved the proposed zoning amendments,

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

ARTICLE I

Amend Section 3.88 of the Benton County Development Code by adding the following sentence:

"For lots abutting a Federal or State Road and a Service Road or Street Within a Subdivision, the area abutting the service road or street within a subdivision shall be deemed to be the front lot line."

ARTICLE II

Amend Section 7.3.3 of the Benton County Development Code by adding "Rear Yard Abutting a Federal or State Road R/W..... 30 Feet minimum", Section 7.3.3 to read as follows:

7.3.3 Yard Regulations

- (a) Lot area per dwelling unit: 2-1/2 Acres minimum
- (b) Lot Width: 165 Feet minimum
- (c) Lot Depth: 330 Feet minimum
- (d) Front Yard or Side Yard:
 - Abutting a Federal or State Road R/W: 116 Feet minimum
 - Abutting a County or Township Road R/W: 65 Feet minimum
 - Abutting a service road or street R/W within a subdivision: 50 Feet minimum
- (e) Rear Yard:
 - Abutting a Federal or State Road R/W: 30 Feet minimum
- (f) RESIDENTIAL STRUCTURES:
 - Side Yard or Rear Yard Abutting Land zoned A-1 and A-2: 80 Feet minimum
 - Side Yard Abutting Land zoned R-1, R-2 or R-3: 15 Feet minimum
 - Rear Yard Abutting Land zoned R-1, R-2 or R-3: 30 Feet minimum
- (g) OTHER STRUCTURES:
 - Side Yard: 15 Feet minimum
 - Rear Yard: 30 Feet minimum
- (h) Building Height Limitation: 40 Feet

ARTICLE III

Amend Section 7.4.3 of the Benton County Development Code by adding "Rear Yard Abutting a Federal or State Road R/W..... 30 Feet minimum", Section 7.4.3 to read as follows:

7.4.3 Yard Regulations

- (a) Lot Area:
 - 1. Private sewer per dwelling unit: one acre minimum
 - 2. Public sewer per dwelling unit: 12,000 sq. ft. minimum
- (b) Lot Width:
 - 1. One acre lot: 150 feet minimum
 - 2. 12,000 sq. ft. lot: 80 feet minimum

- (c) Lot Depth:
 - 1. One acre lot 200 feet minimum
 - 2. 12,000 sq. ft. lot 100 feet minimum
- (d) Front Yard or Side Yard:
 - Abutting a Federal or State Road R/W: 116 feet minimum
 - Abutting a County or Township Road R/W: 65 feet minimum
 - Abutting a service road or street R/W within a subdivision: 50 feet minimum
- (e) Rear Yard:
 - Abutting a Federal or State Road R/W: 30 feet minimum
- (f) RESIDENTIAL STRUCTURES:
 - Side Yard or Rear Yard Abutting Land zoned A-1 and A-2: 80 feet minimum
 - Side Yard Abutting Land zoned R-1, R-2 or R-3: 15 feet minimum
 - Rear Yard Abutting Land zoned R-1, R-2 or R-3: 30 feet minimum
- (g) OTHER STRUCTURES:
 - Side Yard: 15 feet minimum
 - Rear Yard: 30 feet minimum
- (h) Building Height Limitation: 40 feet

ARTICLE IV

Amend Section 7.5.3 of the Benton County Development Code by adding "Rear Yard Abutting a Federal or State Road R/W..... 30 Feet minimum, Section 7.5.3 to read as follows:

7.5.3 Yard Regulations

- (a) Lot Area:
 - 1. Private sewer, per dwelling unit: 21,000 square feet
 - 2. Public sewer, per dwelling unit: 12,000 square feet
- (b) Lot Width:
 - 1. 21,000 square feet 100 feet minimum
 - 2. 12,000 square feet 80 feet minimum
- (c) Lot Depth:
 - 1. 21,000 square feet 170 feet minimum
 - 2. 12,000 square feet 120 feet minimum

- (d) Front Yard or Side Yard:
 - Abutting a Federal or State Road R/W: 116 feet minimum
 - Abutting a County or Township Road R/W: 65 feet minimum
 - Abutting a service road or street R/W within a subdivision: 30 feet minimum
- (e) Rear Yard:
 - Abutting a Federal or State Road R/W: 30 feet minimum
- (f) RESIDENTIAL STRUCTURES:
 - Side Yard or Rear Yard Abutting Land zoned A-1 and A-2: 80 feet minimum
 - Side Yard Abutting Land zoned R-1, R-2 or R-3: 15 feet minimum
 - Rear Yard Abutting Land zoned R-1, R-2 or R-3: 30 feet minimum
- (g) OTHER STRUCTURES:
 - Side Yard: 15 feet minimum
 - Rear Yard: 30 feet minimum
- (h) Building Height Limitation: 40 feet

ARTICLE V

Amend Section 7.6.3 of the Benton County Development Code by adding "Rear Yard Abutting a Federal or State Road R/W..... 30 Feet minimum", Section 7.6.3 to read as follows:

7.6.3 Yard Regulations

- Lot Area: 2-1/2 acres minimum
- Lot Width: 200 feet minimum
- Lot Depth: 330 feet minimum
- Front Yard or Side Yard:
 - Abutting a Federal or State Road R/W: 116 feet minimum
 - Abutting a County or Township Road R/W: 65 feet minimum
 - Abutting a service road or street R/W within a subdivision: 50 feet minimum
- Rear Yard:
 - Abutting a Federal or State Road R/W: 30 feet minimum

Side Yard, interior lot:	20 feet minimum or 80 feet if abutting residential property
Rear Yard:	15 feet minimum or 30 feet if abutting residential property

ARTICLE VI

Amend Section 7.6A.4 of the Benton County Development Code by adding "Rear Yard Abutting a Federal or State Road R/W..... 30 Feet minimum", Section 7.6A.4 to read as follows:

7.6A.4 Yard Regulations

Lot Area:	1 acre minimum
Lot Width:	200 feet minimum
Lot Depth:	200 feet minimum
Front Yard or Side Yard: Abutting a Federal or State Road R/W:	116 feet minimum
Abutting a County or Township Road R/W:	65 feet minimum
Abutting a service road or street R/W within a subdivision:	50 feet minimum
Rear Yard: Abutting a Federal or State Road R/W:	30 feet minimum
Side Yard, interior lot:	20 feet minimum or 50 feet if abutting residential property
Rear Yard:	15 feet minimum or 30 feet if abutting residential property

ARTICLE VII

Amend Section 7.7.3 of the Benton County Development Code by adding "Rear Yard Abutting a Federal or State Road R/W..... 30 Feet minimum", Section 7.7.3 to read as follows:

7.7.3 Yard Regulations

Lot Area:	2-1/2 acres minimum
Lot Width:	200 feet minimum

Lot Depth:	330 feet minimum
Front Yard or Side Yard:	
Abutting a Federal or State Road R/W:	116 feet minimum
Abutting a County or Township Road R/W:	65 feet minimum
Abutting a service road or street R/W within a subdivision:	50 feet minimum
Rear Yard:	
Abutting a Federal or State Road R/W:	30 feet minimum
Side Yard, interior lot:	20 feet minimum or 80 feet if abutting a residential district
Rear Yard:	40 feet minimum or 80 feet if abutting a residential district

ARTICLE VIII

Amend Section 7.8.3 of the Benton County Development Code by adding "Rear Yard Abutting a Federal or State Road R/W..... 30 Feet minimum", Section 7.8.3 to read as follows:

7.8.3 Yard Regulations

Lot Area:	5 acres minimum
Lot Width:	300 feet minimum
Lot Depth:	330 feet minimum
Front Yard or Side Yard:	
Abutting a Federal or State Road R/W:	116 feet minimum
Abutting a County or Township Road R/W:	65 feet minimum
Abutting a service road or street R/W within a subdivision:	50 feet minimum
Rear Yard:	
Abutting a Federal or State Road R/W:	30 feet minimum
Side Yard:	20 feet minimum or 120 feet if abutting residentially zoned property

Rear Yard:

80 feet minimum
or 120 feet if abutting
residentially zoned property

APPROVED AND ADOPTED by the County Board of Commissioners
this 6th day of November, 1990.



Spencer Buerkle, Chairman
Benton County Board of Commissioners

ATTEST:



William E. Scott, III, Clerk

201067

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

JAN 16 12 04 PM '91

ALICE C. FROELMEYER
COUNTY RECORDER

BY  DEPUTY