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JULY 07, 2005 AT 12:20PM

Signed: OK  
MARILYN J NOVAK G V I 2  
BENTON COUNTY MINNESOTA  
MARILYN J NOVAK  
COUNTY RECORDER

**BENTON COUNTY ORDINANCE NO. 388**

WHEREAS, the Benton County Department of Development instituted proceedings to amend the Benton County Ordinance 185; and,

WHEREAS, on June 14, 2005, Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspaper of the county; and,

WHEREAS, on June 28, 2005, the Benton County Planning Commission held a public hearing thereon and recommended same to the Benton County Board of Commissioners for approval and passage; and,

WHEREAS, on July 5, 2005, the Benton County Board of Commissioners held a public hearing and approved the proposed ordinance amendment; and,

NOW PURSUANT TO THE AUTHORITY VESTED BY MINNESOTA STATUTES SECTION 394.25, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS: that Sections of the Benton County Ordinance 185 be amended as follows:

Section 3.21 Building Height: the vertical distance from the average elevation of the natural ground at the building or ten feet above the lowest ground level, whichever is lower to the top of the highest point of the structure.

Section 3.163 Sewage Treatment System: a septic tank and soil absorption system or other individual or cluster type sewage treatment system as described and regulated in Section 9.6 of this ordinance.

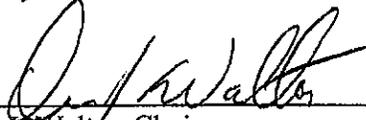
Section 7.3.3, 7.4.3, 7.5.3 Yard Regulations

- (e) RESIDENTIAL STRUCTURES:
  - Side Yard or Rear Yard Abutting Land zoned A-1, A-2, or A-3.....50 feet
- (g) Building Height Limitation.....40 feet  
Unless in shoreland district see Section 7S5.23

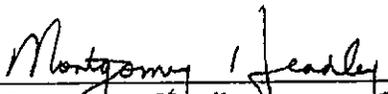
Section 7S5.23      Height of Structures. All structures in residential districts, except churches and nonresidential agricultural structures, must not exceed 35 feet in height.

This ordinance shall be effective upon publication.

Approved and adopted by the Benton County Board of Commissioners this 5<sup>th</sup> day of July in the year of 2005.

  
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Duane J. Walter, Chair  
Benton County Board of Commissioners

ATTEST:

  
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Montgomery Headley  
Benton County Administrator