

Certified, Filed and or Recorded on
July 02, 2009 AT 11:58AM

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

BENTON COUNTY ORDINANCE NO. 439

AN ORDINANCE AMENDING THE BENTON COUNTY ZONING MAP

WHEREAS, Benton County approved a rezoning in accordance with Ordinance #193 pursuant to Section 11.8 of the Benton County Development for the shoreland area located in the parts of Sections 10, 14 and 15 of Langola Township and parts of Section 8, 9, 16, 17, 21, 22, 27, 28, 33 and 34 in Watab Township.

WHEREAS, it has since been determined that the legal description for the rezoning was in need of clarification.

WHEREAS, on May 26 and 27, 2009, Notice of Public Hearings to amend Benton County Zoning Map was published in the official newspapers and mailed to the governing bodies of all towns and municipalities located within two miles of the effected property within Benton County; and,

WHEREAS, public hearings regarding said proposal have been conducted by the Benton County Planning Commission and the Benton County Board of Commissioners on June 11, 2009 and June 30, 2009; and,

WHEREAS, the Benton County Board of Commissioners find that the rezoning of the property described herein comports with the Benton County Comprehensive Land Use Plan and is appropriate and the proposed Ordinance will simply correct the zoning as originally intended.

NOW, THEREFORE, pursuant to Section 11.8 of the Benton County Development Code, the official Benton County Zoning Map is hereby amended to reflect that the following described property as follows:

Watab Township (Township 37 North - Range 31 West)

Sentinel Bight located in Government Lot 1 Section 9 is zoned R-3 Single Family and Multiple Dwelling Residence District.

DOD
no fee

That unplatted portion of Government Lot 1 Section 9 located between the Mississippi River and Ferry Point Place NW is zoned R-3 Single Family and Multiple Dwelling Residence District.

Block 1 of Ferry Point Addition located in Government Lot 1 Section 8, Government Lot 1 and part of the SW1/4 NW1/4 in Section 9 is zoned R-3 Single Family and Multiple Dwelling Residence District. Ferry Point Addition Block 2 and the unplatted area east of Ferry Point Addition and west of Ferry Point Place NW is rezoned from the R-2 Single Family Residence District to the R-3 Single Family and Multiple Dwelling Residence District.

Blue Jay Addition located in Government Lot 2 Section 8 is zoned R-3 Single Family and Multiple Dwelling Residence District.

Wilson River Lot located in Government Lot 2 Section 8 is zoned R-3 Single Family and Multiple Dwelling Residence District.

The unplatted areas between the Mississippi River and County Road 55 (River Road) located in Sections 16, 17, 21, 22, 27, 28, 33 and 34 is rezoned from the R-1 Single Family Residence District and the R-3 Single Family and Multiple Dwelling Residence District to the R-3 Single Family and Multiple Dwelling Residence District except for that area located between Riverview Loop NW and County Road 55 (River Road) in Section 27; and also except the areas rezoned as part of Ordinance #376.

Shoestring Acres Lots 1-12 Block 1 is zoned R-3 Single Family and Multiple Dwelling Residence District. Shoestring Acres Lots 1-11 Block 2 and Outlots A and B are rezoned from the R-1 Single Family Residence District to the R-3 Single Family and Multiple Dwelling Residence District; all located in part of Government Lot 3 Section 16.

Anderson's River View located in part of Government Lot 4 Section 16 is zoned R-3 Single Family and Multiple Dwelling Residence District.

Auditors Sub-Division of ABC Acres located in Government Lot 5 and part of the SE1/4 SE1/4 Section 16 is zoned R-3 Single Family and Multiple Dwelling Residence District.

Angela Estates located in Government Lot 3 Section 21 and Government Lot 1 Section 22 is zoned R-3 Single Family and Multiple Dwelling Residence District.

Buena Vista located in Government Lot 2 Section 22 is zoned R-3 Single Family and Multiple Dwelling Residence District.

The Cove located in Government Lot 1 and the NE1/4 Section 27 west of County

Road 55 is zoned R-3 Single Family and Multiple Dwelling Residence District except for the area subject to Ordinance #376.

Riviera Terrace Lots 1-20, 29-54 and Outlot A Block 1 is zoned R-3 Single Family and Multiple Dwelling Residence; Lots 21-28 Block 1 and Lots 1-17 Block 2 is rezoned from the R-1 Single Family Residence District to the R-3 Single Family and Multiple Dwelling Residence District, all in Section 27.

Shorewood Park Plat 2 located in Section 27 is zoned R-3 Single Family and Multiple Dwelling Residence District.

Shorewood Park located in Section 27 is zoned R-3 Single Family and Multiple Dwelling Residence District.

The Town of Watab those parts of Blocks 1-5, Lots 1-3 in Block 9; and Lots 1-6 in Block 10 located between the Mississippi River and County Road 55 (River Road) in Government Lots 1 and 2 Section 34 is zoned R-3 Single Family and Multiple Dwelling Residence District.

Stanley's Addition located in part of Government Lot 1 Section 33 and part of Government Lot 3 Section 34 is zoned R-3 Single Family and Multiple Dwelling Residence District.

The areas defined as shoreland (300 feet from the Mississippi River) located on the south and/or east side of Ferry Point Place NW in Government Lot 1 in Sections 8; Government Lot 1 and NW1/4 in Section 9; is rezoned from the R-3 Single Family and Multiple Dwelling Residence District to the Agricultural District except for Ferry Point Addition Block 2 and the unplatted area east of Ferry Point Addition and west of Ferry Point Place NW which is zoned R-3 Single Family and Multiple Dwelling Residence District.

The areas defined as shoreland (300 feet from the Mississippi River) located on the north and/or east side River Road (County Road 55) in Government Lots 1, 2, 3 and 4 Section 22; the area east of Riverview Loop NW in Section 27; and the NW1/4 and Government Lot 1 in Section 34 North of Frost Road and east of County Road 55; is rezoned from the R-3 Single Family and Multiple Dwelling Residence District to the R-1 Single Family Residence District except for the areas rezoned as part of Ordinances #256, #376 and #387.

The areas defined as shoreland (300 feet from the Mississippi River) located east of County Road 55 located in Government Lot 1 in Section 33; Government Lot 2 and the NW1/4 of Section 34; is rezoned from the R-3 Single Family and Multiple Dwelling Residence District to the R-2 Single Family Residence District

Langola Township (Township 38 North - Range 32 West)

Rolling Oaks Estates located in Section 10 and Section 15 is zoned R-3 Single Family and Multiple Dwelling Residence District.

Petron Estates located in Section 15, Lots 3-10 Block 1 is zoned R-3 Single Family and Multiple Dwelling Residence District and Lots 1 and 2 Block 1 are rezoned from the R-2 Single Family District to the R-3 Single Family and Multiple Dwelling Residence District.

Christle's Island View Terrace and the unplatted portions of Government Lot 1 between the Mississippi River and Canary Road right-of-way located in Section 14 is zoned R-3 Single Family and Multiple Dwelling Residence District.

Barthelemy's Nature Park located in Section 14 is zoned R-3 Single Family and Multiple Dwelling Residence District.

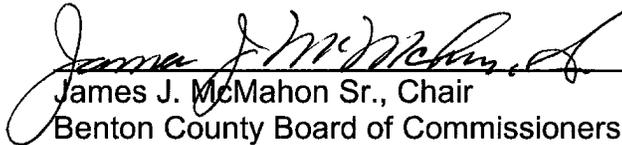
Hidden Acres located in Section 14 is zoned R-3 Single Family and Multiple Dwelling Residence District.

The unplatted portions of Government Lot 4 in Section 14 located between the Mississippi River and Canary Road right-of-way is zoned R-3 Single Family and Multiple Dwelling Residence District.

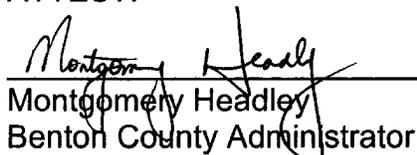
The areas defined as shoreland (300 feet from the Mississippi River) located on the north and/or east side of 65th Avenue, Barley Road and Canary Road in Sections 10, 14, and 15 is rezoned from the R-3 Single Family and Multiple Dwelling Residence District to the Agricultural District except for Lots 1 and 2 of Petron Estates.

Approved and adopted by the Board of Commissioners this 30th day of June 2009.

Upon enactment, this ordinance shall be effective upon the date of its publication as provided by law.


James J. McMahon Sr., Chair
Benton County Board of Commissioners

ATTEST:


Montgomery Headley
Benton County Administrator