

ZONING ORDINANCE OF LE SUEUR COUNTY

AN ORDINANCE REGULATING THE USE OF LAND IN LE SUEUR COUNTY BY DISTRICTS, INCLUDING THE REGULATION OF THE LOCATION, SIZE, USE, AND HEIGHT OF STRUCTURES, THE ARRANGEMENT OF STRUCTURES AND PROVIDING FOR OTHER REQUIREMENTS AND IMPOSING PENALTIES FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF LE SUEUR COUNTY.

SECTION 1. PURPOSE AND INTENT

A. This Ordinance is enacted for the following purposes:

1. Promoting and protecting the public health, safety, morals, and general welfare throughout Le Sueur County.
2. Implementing the Le Sueur County Comprehensive Land Use Plan.
3. Protecting and preserving agricultural land and natural resources.
4. Promoting orderly development of residential, commercial, industrial, recreational and park areas.
5. Conserving the natural and scenic beauty of the County.
6. Providing for the compatibility of different land uses and most appropriate use of land throughout the County.
7. Minimizing environmental pollution.

SECTION 2. TITLE

This Ordinance shall be known and may be cited and referred to as the “Le Sueur County Zoning Ordinance” when referred to herein; it shall be known as “this Ordinance.”

SECTION 3. STATUTORY AUTHORIZATION, JURISDICTION, SCOPE AND INTERPRETATION

SUBDIVISION 1. STATUTORY AUTHORIZATION

This Ordinance is adopted pursuant to the authorization contained in Minnesota Statutes and Minnesota Rules as amended from time to time.

SUBDIVISION 2. JURISDICTION

The jurisdiction of this Ordinance shall apply to all the area of Le Sueur County outside the incorporated limits of cities.

SUBDIVISION 3. SCOPE

From and after the effective date of this Ordinance, the use of all land and every structure or portion of a structure erected, altered in respect to height and area, added to or relocated, and every use within a structure or use accessory thereto in Le Sueur County shall be in conformity with the provisions of this Ordinance. Any lawful existing structure and any lawful existing use of properties not in conformity with the regulations herein prescribed shall be regarded as non-conforming, but may be continued, extended or changed, subject to the special regulations herein provided with respect to non-conforming properties or uses.

SUBDIVISION 4. INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, other ordinance or regulation shall be controlling.

SUBDIVISION 5. LOTS OF RECORD

All lots which are a part of a subdivision legally recorded with the County Recorder, and all lots, parcels, tracts, and other legally described land to which the deed has been recorded prior to July 9, 2009, shall be considered Lots of Record. Lots of Record shall be legally developable for the purpose of single-family dwelling construction, provided all applicable standards and requirements of this Ordinance can be met at the time of development.

SUBDIVISION 6. DISCLAIMER OF LIABILITY

The Flood Plain Overlay District herein established is intended to provide a reasonable approach to flood control based on present information. As additional information becomes available, the extent of the various boundaries shall be so altered to maintain this reasonableness. This Ordinance does not imply that areas beyond the district limits will be free from flooding; nor shall this Ordinance, or districts established herein, create a liability on the part of, or cause action against Le Sueur County or any office or employee thereof, for any flood damage that may result from reliance upon this Ordinance or flood district so established.

SUBDIVISION 7. INJUNCTIVE RELIEF

The Department, upon authorization by the Board of County Commissioners, shall have the authority to petition the District Court for injunctive relief against continued violations of any of the provisions of this Ordinance.