

SECTION 4 - JURISDICTION, SCOPE AND INTERPRETATION

Subdivision 1: Jurisdiction

The jurisdiction of this Ordinance shall apply to all the area of Sherburne County outside the incorporated limits of municipalities with the exception of Becker Township. All unincorporated areas will continue to be governed by this ordinance for the Floodplain and Mississippi Scenic and Recreational River Districts. *The jurisdiction of this ordinance as it pertains to road access and road standards shall be county wide (inclusive of those roads within municipal limits).*

Subdivision 2: Scope

From and after the effective date of this Ordinance, the use of all land and every building or portion of a building erected, altered in respect to height and/or area, added to or relocated, and every use within a building or use accessory thereto in the county shall be in conformity with the provisions of this Ordinance. Any existing building or structure and any existing use of properties not in conformity with the regulations herein prescribed shall be regarded as non-conforming, and shall be subject to Section 17, Subd. 10.

Subdivision 3: Permitted Uses

Permitted Uses, as hereinafter listed, shall be allowed in the District indicated under the conditions specified. No building or land shall be devoted to any use other than a use permitted hereinafter in the Zoning District in which such building, structure or land is located, except for the following exceptions:

- A. Uses lawfully established prior to the effective date of Ordinance subject to Section 17, Sub. 10, Nonconformities.
- B. Conditional uses allowed in accordance with Section 16 of this Ordinance.
- C. Essential public services are permitted uses in all zoning districts and are not subject to height, yard, lot, setback or flood plain requirements or permits, except as provided in or as otherwise specifically regulated hereafter.
- D. Gas regulator stations, electric substations and similar essential public service structures not customarily considered industrial in use are permitted uses in all

Zoning Districts except that no such structure shall be located within 20 feet of any lot line of an abutting lot in any Residence District.

Subdivision 4: Interpretation

In interpreting and applying the provisions of this Ordinance, they shall be held to be 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/Registrar of Title and lot or lots described by metes and bounds, the deed to which has been recorded in the Office of the County Recorder/Registrar of Title prior to the passage of this ordinance, shall be considered to be Lots of Record. Such lots may be considered a building site if they were created compliant with official controls in effect at the time and the sewage treatment and setback requirements of this ordinance are met.