

**CITY OF BAXTER, MINNESOTA  
RESOLUTION 2020-060**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR OUTSIDE STORAGE AND AN INTERIM USE PERMIT AMENDMENT FOR TEMPORARY APPROVAL OF AN EXPANDED LUMBER YARD USE WITH MULTIPLE ACCESSORY STRUCTURES WITHOUT A PRINCIPAL STRUCTURE FOR SIMONSON LUMBER FOR PROPERTY LOCATED AT 3915 INDEPENDENCE ROAD (City File # 20-28)**

WHEREAS, Simonson Lumber Co ("the applicant") has requested approval of a conditional use permit amendment and an interim use permit amendment for property legally described as follows:

Lot 2, Block 1, Potlatch Addition to Baxter, Crow Wing County Minnesota.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called Public Hearing on October 13, 2020 and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their October 20, 2020 meeting;


NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the request for a conditional use permit amendment for outside storage and interim use permit amendment for an expanded lumber yard use with multiple accessory structures without a principle structure, subject to the following findings and conditions:


1. The conditional use permit amendment is approved to authorize outside storage for the property, in accordance with the application and plans received by the City on September 21, 2020, except as may be amended by this resolution, based on the finding that all applicable conditional use permit standards have been met.
2. An interim use permit amendment is approved to authorize temporary approval of a lumber yard use without a principal structure, in accordance with the application and plans received by the city on September 21, 2020, except as may be amended by this resolution, based on the finding that all applicable conditional use permit standards have been met. Specifically, the interim use permit allows for the construction of a fifth accessory warehouse building and temporary office building and extends the expiration date to October 20, 2025.

**FURTHER BE IT RESOLVED** that the following conditions of approval shall be met:

1. The conditional use permit amendment and the interim use permit amendment approval shall expire one year from the date of approval unless the applicant commences the authorized use or requests an extension prior to the date of expiration.
2. The interim use permit allows the use of a lumber yard to continue and expand on the property as shown in the plans received by the City on September 21, 2020, except as may be amended by this resolution.
3. The interim use permit shall terminate if violations of city codes or conditions of the IUP or related CUPs occur.
4. A separate free-standing pylon or monument sign is not allowed for the property until a principal structure is built on the property.
5. The interim use permit shall expire five years from the date of this approval. The interim use permit shall also expire once a principal structure is constructed on the lot. Upon expiration of the interim use permit, the temporary office building shall be removed from the property.
6. Building permits shall be required prior to beginning construction.
7. A building permit shall not be issued until the applicant submits a landscape plan in compliance with section 10-4-8.D of the City Code to account for the expanded building area.
8. All outdoor storage shall be on a hard surface such as asphalt or concrete. All hard surfaced areas are included in the outdoor storage plan except that the applicant shall maintain 24-foot wide drive aisles to allow for traffic circulation and fire lanes that comply with the fire code around all structures.

**Whereupon, said Resolution is hereby declared adopted on this 20<sup>th</sup> day of October 2020.**

  
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Darrel Olson, Mayor

ATTEST  
  
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Kelly Steele, City Clerk

*City Seal*