

RESOLUTION NUMBER _____, SECOND SERIES

RESOLUTION REVOKING A CONDITIONAL USE PERMIT

WHEREAS, the property owner of 1002 Colombine Drive (Parcel Number 27-813021-0), Nicholas Esping, has petitioned the City to revoke the Conditional Use Permit adopted July 5, 1988, permitting a two family dwelling use at 1002 Colombine Drive in an R-1 One Family Residence District; and

WHEREAS, said Conditional Use Permit (Planning Commission File No. 466) was recorded in the Office of the Lyon County Recorder Book 67 of Miscellaneous, Page 1 on July 25, 1988; and

WHEREAS, Nicholas Esping indicated that said Conditional Use Permit will caused him to pay additional utility costs; and

WHEREAS, Nicholas Esping indicated the use is a single family dwelling, and he has no intent to utilize it as a two-family dwelling in the future; and

WHEREAS, research by City staff found no direction in City Code regarding revocation and State Statute 462.3595 provides for the ability to revoke for violations; and

WHEREAS, City Attorney Dennis Simpson directed in the past the revocation occur by City Council resolution.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MARSHALL, MINNESOTA:

1. That the Conditional Use Permit (Planning Commission File No. 466) adopted on July 5, 1988, classifying an existing nonconforming two-family use at 1002 Colombine Drive in an R-1 One Family Residence District, as conforming and recorded in the Office of the Lyon County Recorder Book 67 of Miscellaneous, Page 1, on July 25, 1988, is hereby revoked.

Passed and adopted by the Common Council this 28th day of May, 2019.

ATTEST:

City Clerk

Mayor of the City of Marshall, MN

This Instrument Drafted By:
Jason R. Anderson, P.E.
Assistant City Engineer / Zoning Administrator