



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, January 24, 2023
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	REQUEST FOR INTERIM USE PERMIT / STORAGE CONTAINERS IN A B-3 GENERAL BUSINESS DISTRICT
Background Information:	<p>This is the request by the Owner for an Interim Use Permit for a shipping container placement in a B-3 General business district. While containers are generally prohibited in business districts, the Ordinance allows placing one container in a General Business District by an interim use permit. The above-listed conditions include a reference to a particular Ordinance section that itemizes specific requirements for granting an Interim Use Permit for a container.</p> <p>Interim use permit regulations are found in Sec. 86-46 and the standard for approval are in Sec. 86-49. Attached is an aerial photo for reference</p> <p>At the Planning Commission meeting on January 11, 2023, after a public hearing, a motion was made by Deutz, seconded by Stoneberg, to recommend approval as recommended by city staff to City Council. ALL VOTED IN FAVOR.</p>
Fiscal Impact:	None known.
Alternative/ Variations:	Deny the request.
Recommendations:	<p>Planning Commission recommends that the Council approve the request by Independent Lumber / Brent Demuth for an Interim Use Permit to have a storage container on the premises at 508 Baseline Road with the following conditions:</p> <ol style="list-style-type: none"> 1. That the regulations, standards, and requirements as set forth in the City Code and as pertains to the class of district in which such premises are located shall be conformed with. 2. That the City reserves the right to revoke the Conditional Use Permit in the event that any person has breached the conditions contained in this permit provided first, that the City serve the person with written notice specifying items of any default and allow the applicant a reasonable amount of time in which to repair such default. 3. That this permit expires when the property changes ownership. 4. That this container meets all conditions of Sec. 86-248(f) dated 04-27-2021 (as attached) by February 28, 2023, including a fence.