

CONDITIONAL USE PERMIT
City of Marshall, Minnesota

WHEREAS, the Planning Commission of the City of Marshall has held a Public Hearing for a Conditional Use Permit to a 139' tall communication tower in an I-2 General Industrial District at the location described as:

EXHIBIT A
State of Minnesota, County of Lyon, City of Marshall
800 North Highway 59

and, in accordance with and pursuant to the provisions of Chapter 86 of the City Code of Ordinances related to zoning; and has written findings that the establishment, maintenance or conducting of the use for which the permit is sought will not under the circumstances be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the area adjacent to the use, or to the public welfare, or injurious to property or improvements in the area adjacent to such use; and,

WHEREAS, the Planning Commission has designated certain conditions in the granting of such use permit.

NOW, THEREFORE Be It Resolved by the Common Council of the City of Marshall, Minnesota, that a Conditional Use Permit be granted to Sandra Mosch for a conditional use permit for a 139' tall communication tower in an I-2 General Industrial District on the premises described herein subject to the following conditions:

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 the property is maintained to conform to the Housing Code, Zoning Code, Building Code, and not cause or create negative impacts to adjacent existing or future properties.
4. That the tower meets all requirements of, and receives all required approval from, FAA and MnDOT Aeronautics.

ADOPTED December 22, 2020.

ATTEST:

Mayor

City Clerk

(SEAL)

File No. 1140

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

EXHIBIT A

All that part of the Southwest Quarter (SW ¼) of Section Thirty-three (33), Township One Hundred Twelve (112), North of Range Forty-one (41) West of the 5th P.M., Lyon County, Minnesota, described as follows:

Beginning at a point on the west line of Section 33, Township 112, Range 41, which is 1045.7 feet North of the Southwest corner of said Section 33; thence East a distance of 700 feet; thence North and parallel with said west line of Section 33 a distance of 139.60 feet; thence west a distance of 700 feet to a point on the west line of Section 33 which is 1185.30 feet north of the Southwest corner of said Section 33; thence South along the west line of Section 33 a distance of 139.60 feet to the point of beginning.