

RESOLUTION 25-075

**TERMINATION OF VARIANCE ADJUSTMENT PERMIT
501 VILLAGE DRIVE**

WHEREAS, on April 9, 2019, the Marshall City Council granted a variance adjustment permit to L2A, LLC to allow for a reduction of the required rear yard from 25% of the lot depth, or about 100 feet, to 30 feet on the premises at 501 Village Drive, more particularly described as;

LOCATION: 501 Village Drive

LEGAL DESCRIPTION: The Southerly 63.81 feet of Outlot B and Outlot A, except the Southerly 790.31 feet as measured along the West line thereof, all in The Villages, City of Marshall, County of Lyon, State of Minnesota.

WHEREAS, said variance adjustment permit was recorded at the office of the Lyon County recorder (document number 218274) on April 26, 2019; and

WHEREAS, Marshall City Code, Chapter 86, Article II, Division 1, Section 86-29 Variances states that "Whenever within one-year after granting a variance the work as permitted by the variance shall not have been commenced, then the variance shall become null and void unless a request for extension of time in which to complete the work has been granted. The extension shall be requested in writing and filed with the zoning administrator at least 30 days before the expiration of the original variance;" and

WHEREAS, the property owner had not commenced the work or submitted plans for a building permit for a building for over a period of one year; and

WHEREAS, the current owner was notified of the variance invalidity, but no request for extension was received; and

WHEREAS, the Planning Commission met on October 08, 2025 and recommended revocation of the variance adjustment permit based on the finding that the request for a reduced rear yard to build an additional structure had not occurred for a period of more than one (1) year.

NOW, THEREFORE, BE IT RESOLVED that the Marshall City Council hereby terminates the variance adjustment permit allowing a reduction of the required side yard at 501 Village Drive based on the finding that the work as permitted by the variance had not commenced for a period of over one (1) year.

Passed and adopted by the Marshall City Council this the October day of 14, 2025.

ATTEST:

Mayor

City Clerk

STATE OF MINNESOTA)

:SS

COUNTY OF LYON)

The foregoing instrument was acknowledged before me this _____ day of _____ 20____, by Robert Byrnes, Mayor, and Steven Anderson, City Clerk of the City of Marshall, Minnesota, a municipal corporation under the laws of Minnesota, on behalf of the municipality.

Notary Public

This Instrument Drafted By:
Jason R. Anderson, P.E.
City Engineer/Zoning Administrator
344 West Main Street
Marshall MN 56258