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**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 for an advertising sign under the zoning code, Article 86-VI, Section 86-185, in the City of Marshall for the following location:

See Exhibit A  
City of Marshall, County of Lyon, State of Minnesota  
(511 Hwy 23 S)

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 Tadd Ihnen & Teresa Ihnen, a married couple, for an advertising sign at 511 State Hwy 23 S subject to the following conditions:

1. If within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been initiated, the CUP shall become null and void unless a petition for an extension of time in which to complete the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
2. Pursuant to Marshall Code Article 86-II, Division 86-II-2, Section 86-49, no application for a condition modification shall be considered by the planning commission or council for at least one-year from the date of a conditional use permit approval or from when circumstance sufficiently change to justify a review.
3. The owner shall maintain the property to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.
4. The owner shall obtain all relevant and required permits, including City's sign permit and State permit, prior to beginning any work.
5. The installed sign shall be as follows:
  - i. The sign must be installed as shown on attached sketch. A survey showing exact sign location by the registered land surveyor shall be filed with the City of Marshall prior to sign installation. The sign or any part thereof shall not encroach into any public right-of-way or adjacent property.
  - ii. This permit is for the sign structure described as follows:
    - a. Two double panels (not-digital) installed at an angle to each other (four sign panels total).
    - b. Each sign panel shall be no greater than 10 feet by 30 feet.
    - c. The overall height of the sign shall be no more than 30 feet.Structural drawings showing sign footing and foundations shall be signed by a registered professional engineer and submitted along the sign permit application.
  - iii. The sign structure shall be maintained in a safe condition and all surfaces maintained without blemish or defects. The current land and sign owner and all future sign and landowners are fully responsible for maintenance, together or separately.

6. The City reserves the right to revoke the Conditional Use Permit if the applicant or if ownership of the property has transferred, then the current owner, has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default.

**ADOPTED August 22, 2023**

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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

(SEAL)

File No. 1165