



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, October 22, 2019
Category:	CONSENT AGENDA
Type:	INFO/ACTION
Subject:	Consider resolution revoking Conditional Use Permit at 101 Marlene Street
Background Information:	<p>Edward Winn and Lauren Winn (formerly Lauren Kocian) have petitioned the City to revoke the Conditional Use Permit No. 712 permitting a two-family dwelling at 101 Marlene Street Drive in an R-1 One Family Residence District.</p> <p>The Conditional Use Permit was granted on July 21, 1997, and a copy of it is attached.</p> <p>Research by City staff found no direction in City Code for a revocation. State Statute 462.3595 provides for the ability to revoke for violations only.</p> <p>City Attorney Dennis Simpson has directed in the past that revocation may occur by City Council resolution.</p> <p>It is the owner's responsibility to record the "Resolution Revoking A Conditional Use Permit" with the Lyon County Recorder and provide a copy of the recorded document with the City of Marshall Zoning Administrator. Upon receipt of the recorded Resolution, the City will initiate proceedings adjusting the surface water management utility fees associated with the revised single-family use. Any other reductions due to the change in use involve other entities and will be the responsibility of the owner.</p>
Fiscal Impact:	Surface Water Management Utility Fees will be reduced. The taxable value or taxation of the property will not be affected.
Alternative/ Variations:	None.
Recommendations:	that the Council adopt RESOLUTION NUMBER XXXX, SECOND SERIES, which is Resolution Revoking Conditional Use Permit at 101 Marlene Street (Planning Commission File No. 712).