

RESOLUTION NUMBER _____, SECOND SERIES

RESOLUTION REVOKING A CONDITIONAL USE PERMIT

WHEREAS, the property owners at 101 Marlene Street, parcel ID #27-182003-0, Edward Winn and Lauren Winn, husband and wife, have requested that the City of Marshall revoke a conditional use permit adopted July 21, 1997, permitting a two family dwelling use at 101 Marlene Street, located in an R-1 One Family Residential District; and

WHEREAS, said Conditional Use Permit (Planning Commission File No. 712) was filed on December 23, 1997 in the office of the Lyon County Recorder and is recorded in Book 116 of Miscellaneous, Page 320; and

WHEREAS, the legal description of the property subject to said conditional use permit is described as follows:

The South 4.0 feet of the west 70.0 feet of Lot Two (2) and all of Deitz's Subdivision of Outlot Six (6) Country Club Addition to the City of Marshall, County of Lyon, State of Minnesota.

WHEREAS, property owners Edward Winn and Lauren Winn, husband and wife, have indicated that the agreed upon terms of the conditional use permit have not and will not be observed as the terms of said conditional use permit will cause them to pay additional utility costs; and

WHEREAS, property owners Edward Winn and Lauren Winn, husband and wife, have further indicated that the current use of said premises is as a single family dwelling and that said property owners have no intent to use said property as a two family dwelling at any point in the future; and

WHEREAS, Minnesota Statutes allow a municipality to enact or amend official controls to change the status of conditional uses on said property.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MARSHALL, MINNESOTA:

1. That the conditional use permit (Planning Commission File NO. 712) adopted by the Common Council on July 21, 1997, classifying an existing nonconforming two-family use at 101 Marlene Street in an R-1 One Family Residence District, as a conforming use, filed December 23, 1997 in the office of the Lyon County Recorder and recorded in Book 116 of Miscellaneous, Page 320, is hereby revoked.

Passed and adopted by the Common Council this 22nd day of October, 2019.

CITY OF MARSHALL

By: Robert J. Byrnes
Its: Mayor

ATTEST:

By: Kyle Box
Its: City Clerk

THIS INSTRUMENT WAS DRAFTED BY:

QUARNSTROM & DOERING, P.A.
MARSHALL CITY ATTORNEY
By: Dennis H. Simpson
109 South Fourth Street
Marshall, MN 56258
(507) 537-1441