

CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, September 8, 2020
Category:	CONSENT AGENDA
Type:	INFO/ACTION
Subject:	Approve a Resolution Accepting a Surrender of a Conditional Use Permit
Background Information:	<p>The owners of property located at 1651 and 1661 East College Drive in Marshall have requested that an old Conditional Use Permit filed against the property be terminated of record. The property is the location of automobile dealerships. A Conditional Use Permit was granted in 1987 for the location and operation of an Adult Daytime Activity Center.</p> <p>The granting of a Conditional Use Permit runs with the land and remains as an authorized use filed against the property regardless of ownership. The Conditional Use Permit has continued authorizing the intended use from 1987 to the present. Present owner has requested that the Conditional Use Permit be terminated. The present owner has filed a petition to surrender the existing Conditional Use Permit. A copy of said petition is attached to the proposed resolution.</p> <p>The procedure establishing the process to surrender a Conditional Use Permit was previously approved by City Council on a transaction in October of 2019. The same procedure has been followed in this situation. Property owner has submitted a petition requesting that the City Council accept a surrender and termination of the Conditional Use Permit. The Minnesota Statutes do authorize municipalities to enact or amend official controls to change the status of conditional uses as filed against properties. It is therefore recommended that City Council accept the petition to surrender Conditional Use Permit and approve the resolution accepting that surrender. The resolution would then be filed in the office of the Lyon County Recorder and would then terminate said Conditional Use Permit as requested by the property owner.</p>
Fiscal Impact:	None. The original resolution will be provided to the property owner and it will be the property owner's obligation to record said resolution.
Alternative/ Variations:	No alternative action recommended.
Recommendations:	That the City Council accept the petition to surrender the Conditional Use Permit and that the appropriate officials sign said resolution surrendering and terminating said Conditional Use Permit.