



**CITY OF MARSHALL
AGENDA ITEM REPORT
COUNCIL 10/22/24**

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, October 22, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consider the request of Matt Schnoor for a Conditional Use Permit for a duplex in an R-1 District
Background Information:	<p>This is a request to have a single ownership duplex in an R-1 One Family Residence District.</p> <p>This building was built in 1975 as a single-family residence. In 1986 the owner (different from the current one) applied for a Conditional Use permit for a duplex. However, the request was denied because the lot size was not meeting Ordinance requirements, the windows were not adequate for egress, and the lower unit's only access/exit was through the garage. Despite denial, it seems that the past owners kept using the building as a duplex.</p> <p>In order to bring this building into compliance for rental registration, an approval of the Conditional use permit is necessary. All windows were replaced in 2004 and 2013, and the Ordinance is currently being amended to reduce lots' minimum size for duplexes. Construction to separate the lower unit's exit from the garage has been discussed with the current owner and is included as a condition for approval.</p> <p>An aerial photo and a note from the owner are included for your information.</p> <p>The Planning Commission conducted a public hearing on October 9, 2024, and unanimously recommended approval.</p> <p>Please see attached Resolution for more detailed information.</p>
Fiscal Impact:	None Known
Alternative/ Variations:	None
Recommendations:	To adopt Resolution 24-089 approving a conditional use permit at 906 Cheryl Avenue. The Planning Commission and staff recommend approving the request to grant a Conditional Use Permit for a single ownership duplex in an R-1 One Family Residence District with the following condition: Lower level exit is separated from the garage as required by the Building code and a building permit is obtained for this work.