



RESOLUTION NO. 16-0223-02

A RESOLUTION GRANTING APPROVAL OF AN INTERIM USE PERMIT AS REQUESTED BY BOB AND GREG GEHRMAN ON BEHALF OF THE GEHRMAN FAMILY LTD PARTNERSHIP FOR THE PROPERTY LOCATED AT 2319 S. LAKE SHORE DRIVE

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a comprehensive plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Bob and Greg Gehrman, (the “Applicant”) submitted a request for an Interim Use Permit to allow two temporary accessory buildings to be located on the property located at 2319 S Lake Shore Drive without a principle structure (PID No. 24-118-24-12-0003) (the “Property”); and

WHEREAS, the Property is zoned RR – Rural Residential; and

WHEREAS the requested Interim Use Permit meets all requirements, standards and specifications of the City of Independence zoning ordinance for Rural Residential lots; and

WHEREAS the Planning Commission held a public hearing on February 16, 2016 to review the application for an Interim Use Permit, following mailed and published noticed as required by law; and

WHEREAS, the City Council has review all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Bob

and Greg Gehrman for an Interim Use Permit to allow two temporary accessory buildings to be located on the property per the City's zoning regulations with the following conditions:

1. The proposed Interim Use Permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The interim use permit shall be reviewed annually by the City.
3. The interim use permit will expire upon the sale of the property, the subdivision of the property or the cessation of the maple syrup production by the current owner for a period of five years (Gehrman LTD Partnership), whichever occurs first. Upon cessation or revocation of the interim use permit, the applicant shall remove the temporary buildings from the property.
4. There shall be no permanent outdoor storage of equipment, vehicles or other tools on the property with the exception of syrup storage tanks.
5. Two (2) temporary buildings which do not exceed 120 SF in size shall be permitted on the property. The buildings shall not be permanently secured to the ground or connected to utilities. Upon cessation of the interim use permit, the structures shall be removed within three (3) months.
6. No commercial production of maple syrup or retail sales of the maple syrup shall be permitted on the property.
7. The property shall be kept in a neat and organized fashion so as to reduce any visual nuisances from the adjacent properties.
8. The applicant shall comply with Department of Natural Resources Protection Notice 881142 and any subsequent findings or requirements for restoration or mitigation of the wetland and culvert replacement within 18 months from the date of issuance of this interim use permit approval.
9. The applicant shall obtain a driveway permit from the City. No additional driveways shall be permitted in association with the interim use permit.
10. The applicant shall be permitted to park one (1) recreational vehicle (camper), overnight, on the subject property from February 15th to April 15th for a maximum of duration of eight weeks. The vehicle should be located in a manner which reduces its visibility from the adjacent residential homes and roadway.
11. The applicant shall pay for all costs associated with the review and recording of the interim use permit and its resolution.

This resolution was adopted by the City Council of the City of Independence on this 22nd day of March, 2016, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator
(SEAL)