

**To: HONORABLE MAYOR AND CITY COUNCIL.**

**FROM: Dave Maroney, Director of Economic Development and Planning.**

**SUBJECT: Conditional Use Permit (CUP) for Rode Property.**

**DATE: November 10, 2015.**

**BACKGROUND.**

The accompanying *Application for CUP* parcel map shows the site and buildings located at 1101 Fifth Street North currently owned by the applicant Dan Rode – note that the two accessory buildings east of the house no longer exist on the property. Also enclosed is a property survey prepared by *Samuelson Surveying Inc. (9/17/15)*. Mr. Rode is proposing to construct a new garage measuring 24-foot by 36-foot with a roof up to 25-feet high which exceeds the allowable height limit of 16-feet (residential use) for an accessory structure in the *RB, Residential Business District* – to allow Mr. Rode’s proposal, a CUP is required.

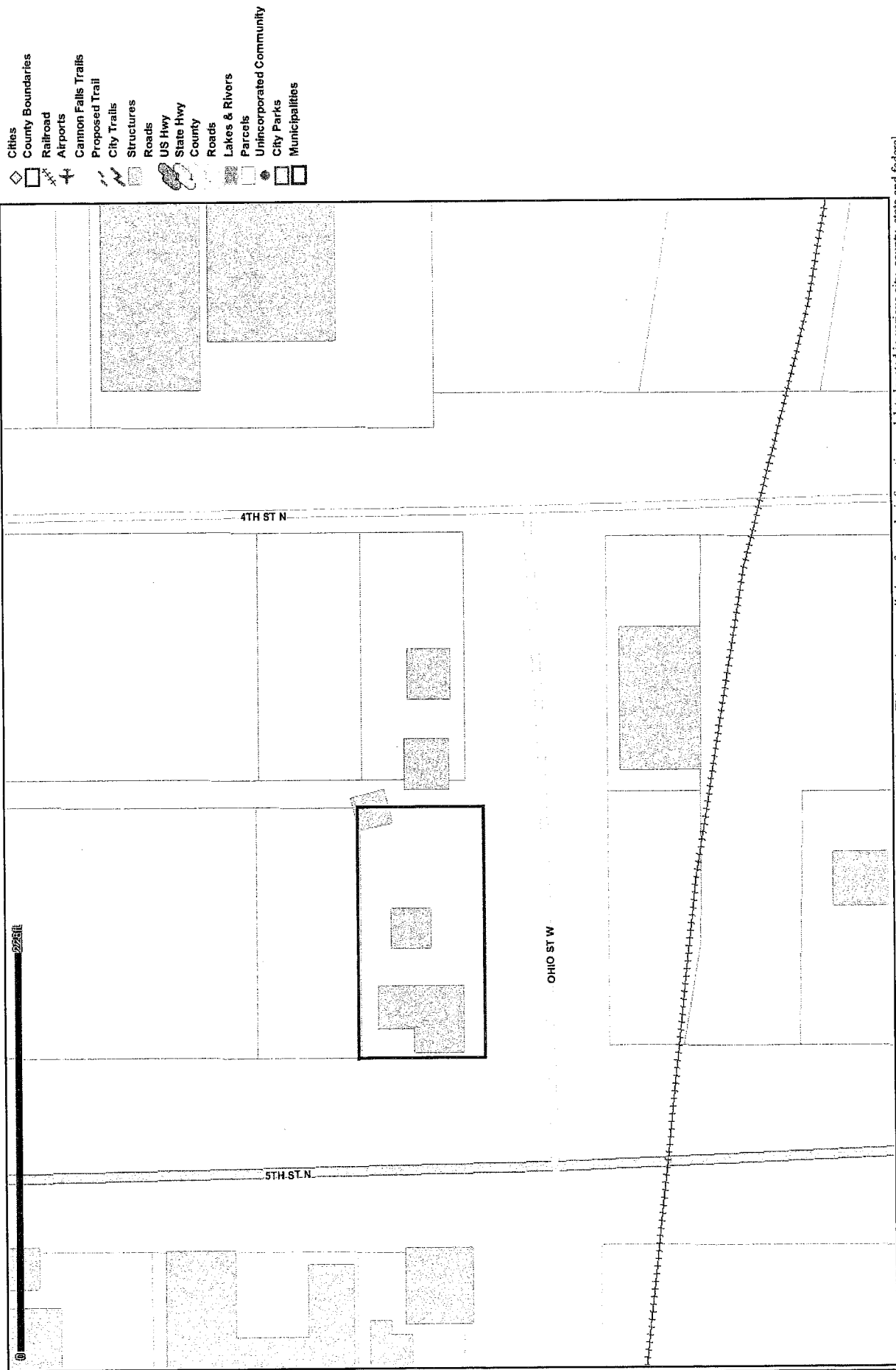
The Planning Commission conducted a public hearing on this matter and recommends conditional approval of the Application.

**REQUESTED COUNCIL ACTION.**

As recommended by the Planning Commission, the City Council is asked to approve the CUP in accordance with the accompanying Resolution.

# Application for CUP

November 9, 2015



This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. Created From Cannon Falls Online Mapping Site. Sources: Goodhue County, MN; City of Cannon Falls, MN. Map Created: 10/20/2015

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Web: samuelsonsurveying.com FAX: (507) 263-5114 EMAIL: rsurvey@frontiernet.net

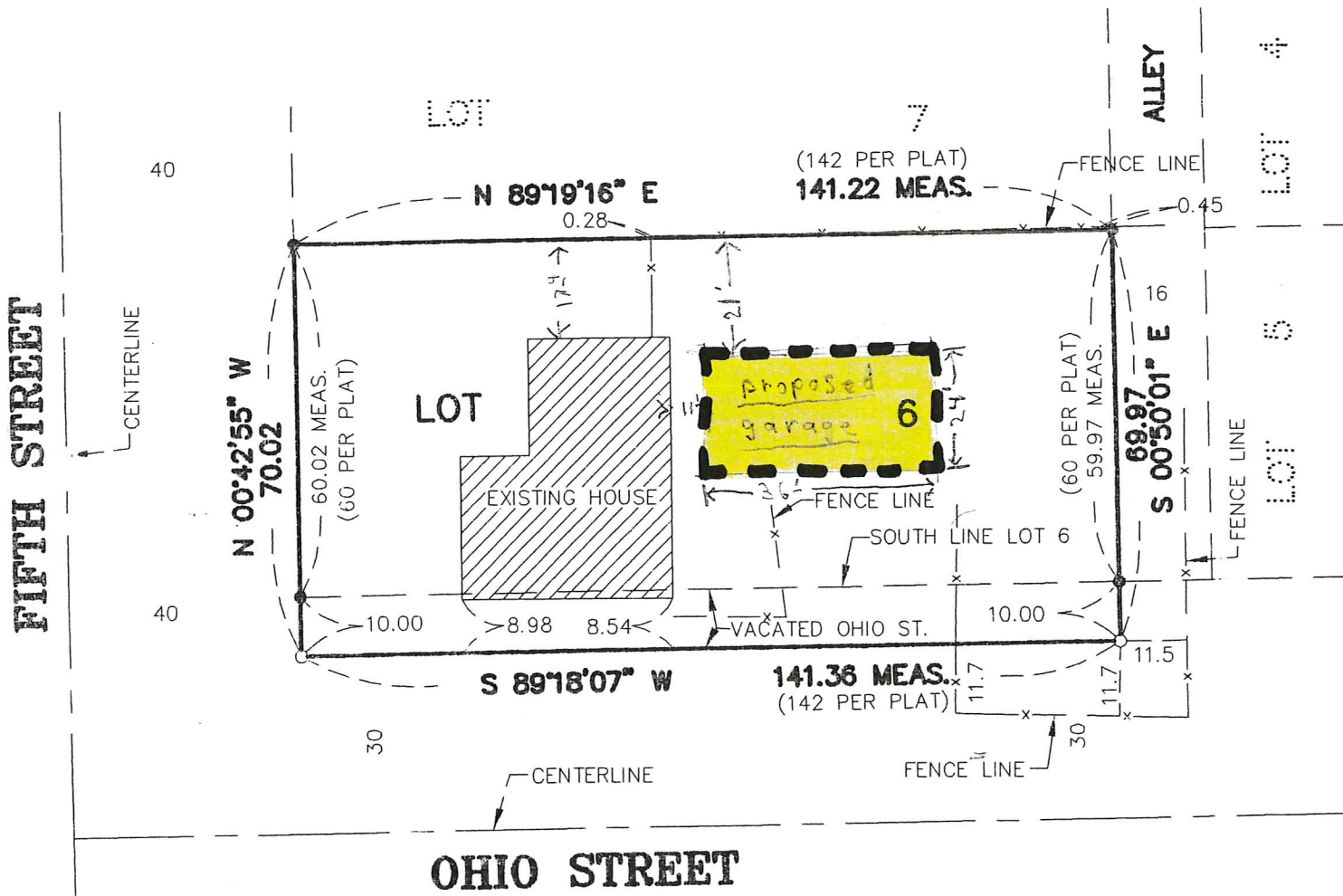
# SAMUELSON SURVEYING INC.



**Cannon Falls Office**  
1103 West Main Street  
Cannon Falls, MN. 55009  
Phone (507) 263-3274

**Farmington Office**  
300 Oak Street  
Farmington, MN. 55024  
Phone (651) 460-6660

## SURVEYORS CERTIFICATE



### LEGAL DESCRIPTION

Lot 6 in Block 32 of St. Claire's Terre Haute Addition to Cannon Falls, Goodhue County, Minnesota, together with part of the vacated street described as follows:

The North 10 feet of Ohio Street adjacent to and running along the South line of Lot 6, Block 32, St. Claire's Terre Haute Addition, Goodhue County, Minnesota



**CITY OF CANNON FALLS  
GOODHUE COUNTY, MINNESOTA**

**RESOLUTION NUMBER 2165**

**CONDITIONAL USE PERMIT FOR RODE PROPERTY**

WHEREAS, Dan Rode has made application for a Conditional Use Permit (“CUP”) to allow a new garage to be constructed at 1101 Fifth Street North (PID 52.480.0590) with a height in excess of sixteen (16) feet as regulated by Section 152.612 (C) and Section 152.238 of the Zoning Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on November 9, 2015 to accept testimony relating to the application; and

WHEREAS, the Planning Commission finds that: (a) in this location, construction of a garage with a maximum roof height of up to twenty-five (25) feet is not expected to adversely impact the general welfare, public health or safety of the neighborhood; (b) the proposed land use is in harmony with the general purpose and intent of the Zoning Code, is consistent with the Comprehensive Plan and will not alter the essential character of the locality; (c) the garage will be located and built to conform with applicable performance standards; and (d) no changes to existing infrastructure is required to accommodate the proposed land use; and

WHEREAS, based upon the aforementioned findings the Planning Commission recommends to the City Council that the application for the CUP be conditionally approved.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, MINNESOTA that based upon these findings that the Conditional Use Permit is approved subject to compliance with all applicable requirements of the Zoning Ordinance and the Building Code.

Adopted this 17th day of November, 2015.

**BY:** \_\_\_\_\_  
Lyman M. Robinson, Mayor

**ATTEST:** \_\_\_\_\_  
Ronald S. Johnson, City Administrator