

**ROCHESTER TOWNSHIP
COUNTY OF OLMSTED
STATE OF MINNESOTA**

Resolution Number RTCUP-17-02

**RESOLUTION ADOPTING FINAL FINDINGS OF FACT AND CONDITIONS FOR
CONDITIONAL USE PERMIT FOR PROPERTY OWNED BY GMB, LLC**

WHEREAS, applicant GMB, LLC, hereinafter “Applicant” is the owner of a property located at 4902 55th Avenue SW, Rochester, Minnesota, hereinafter the “subject property”. Applicant wishes to be issued a conditional use permit for a home based business to store materials and equipment pertinent to the Applicant’s land development business, in an accessory structure on a 35-acre farm size parcel in an A-2; Agricultural Protection District.

The subject property is legally described as follows:

Parcel B on the attached certificate of survey.

WHEREAS, Township Cooperative Planning Staff has reviewed said application and provided a report to the Rochester Township Planning Commission, and;

WHEREAS, Rochester Township Planning Commission on September 12th, 2017 held a public hearing on said matter at which time all interested parties were given the opportunity to be heard; and

NOW, THEREFORE, BE IT RESOLVED, by the Rochester Township

Planning Commission that GMB, LLC be granted a Conditional Use Permit on a 35-acre parcel of property in an A-2; Agricultural Protection District allowing the operation of a home-based business in an accessory structure with the following Conditions:

1. The applicant must obtain all applicable permits that are required by federal, state, and local agencies.
2. Outside lighting shall be diffused or directed away from adjoining properties or public roads.
3. No parking allowed on the public road or easement.
4. Bottled water must be provided for employees.
5. There will be no advertising signage.
6. Hours of operation shall be limited to 7:00 am to 7:00 pm Monday through Saturday.
7. There shall be no retail-type use on the property that involves customers or clients coming to the facility.
8. Dust control will be provided for the parking lot. If the Town Board receives complaints, additional dust control may be required.
9. The business may not exceed the equivalent of five full time employee.
10. The total impervious surface area devoted to the home business including outside storage, parking areas, and accessory structure shall be limited to the minimum necessary to conduct the use, but not more than 20,000 square feet.
11. Home business use of the accessory structure is limited to 5,000 sq. ft. The balance of the structure may be used for agricultural purposes or personal storage.
12. Any potential outside storage of material or equipment or display of merchandise may be permitted if screened from view from adjacent residences.
13. No more than 25% of the floor area of the dwelling may be used for the business.

14. Review of Conditional Use Permit. This CUP includes, at the discretion of the Town Board, a periodic review to determine compliance with the conditions of the permit and whether changed circumstances or conditions require changes to the permit. The Town Board may also elect, upon adoption of an appropriate resolution following verification of a complaint that a condition has been violated, to conduct a review of the permit. Said review shall only take place following written notice to the owner of the subject property and a duly noticed public hearing. Following such hearing, the permit may be amended based on changed conditions and experiences with the site.

Motion by Commissioner Mike Herman, seconded by Commissioner Doug Butler. Motion carried unanimously. Approved and adopted by the Rochester Township Planning Commission on the 12th of September, 2017

Steve Nickel, Chairman

Attest:

Clerk