

# CITY OF HAMBURG, MINNESOTA

## RESOLUTION NUMBER 2018-04

### A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR STEVEN TREBESCH, 335 RAILROAD STREET (PARCEL 45.0282500), FOR ACCESSORY STRUCTURES ON THE PROPERTY OTHER THAN “PRIVATE GARAGES”

**WHEREAS**, Steven Trebesch, 335 Railroad Street (Parcel 45.0282500), has submitted an application to the City of Hamburg for a Conditional Use Permit (CUP) to place two shipping container accessory structures on the property; and

**WHEREAS**, 335 Railroad Street (Parcel 45.0282500) is zoned B - Downtown Business Mixed Use District according to the City of Hamburg Official Zoning Map and guided for Mixed Use according to the 2030 Land Use map of the City of Hamburg 2030 Comprehensive Plan; and

**WHEREAS**, Minnesota Statutes, Section 462.3595, establishes the authority of the City of Hamburg to establish standards, requirements and procedures to review and approve conditional uses; and

**WHEREAS**, the Hamburg Zoning Ordinance, Chapter 160A, Section E, Subdivision 6, Subpart C requires a conditional use permit to be issued by the City in the B District for “Accessory structures other than private garages”; and

**WHEREAS**, the Hamburg Zoning Ordinance, Chapter 160A, Section E, Subdivision 6, Subpart E establishes front yard structural setbacks at 20 feet, side yard structural setbacks at five feet and rear yard structural setbacks at five feet; and

**WHEREAS**, Steven Trebesch applied for variances to property setback standards for an 18-foot front yard setback and a 0-foot side yard setback, which were considered after a public hearing was held by the City Council, acting as the Planning Commission, on January 9, 2018, and approved at the February 13, 2018 regular City Council meeting; and

**WHEREAS**, the Hamburg Zoning Ordinance, Chapter 160A, Section C, Subdivision 6 establishes the procedures for conditional uses and these provisions are incorporated here by reference; and

**WHEREAS**, on December 12, 2017, and as continued on January 9, 2018, the City Council, acting as the Planning Commission, held a public hearing and considered the application for the CUP to place accessory structures other than private garages at 335 Railroad Street (Parcel 45.0282500); and

**WHEREAS**, based upon the review of the Hamburg Zoning Ordinance and the comments received at the public hearing, the Planning Commission finds that the proposed application and supporting information for the CUP to place accessory structures other than private garages at 335 Railroad Street (Parcel 45.0282500) meets the requirements of the Hamburg Zoning






Ordinance, Chapter 160A, Section F, Subdivision 2, and Subdivision 4 Subpart A, in accordance with the following Findings:

1. All of the standards contained in this subdivision and the standards of this ordinance will be met, as modified by the variance,
2. The use is consistent with goals and policies of the Comprehensive Plan,
3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements,
4. The use will not negatively impact the use and enjoyment of other properties and uses in the immediate vicinity,
5. The use will not impede planned development and improvement of the property, including the provision of municipal utilities, stormwater drainage, roadways and access; or the planned development of surrounding properties in accordance with the Comprehensive Plan and the standards of this ordinance, and
6. The use does not have an undue adverse impact on the public health, safety or welfare.

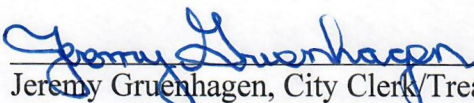
**THEREFORE, BE IT RESOLVED**, the City Council hereby approves the CUP for Steven Trebesch to place accessory structures other than private garages at 335 Railroad Street (Parcel 45.0282500), subject to the following conditions:

1. A maximum of two accessory structures shall be allowed on the property.
2. The front yard setback shall be a minimum of eighteen (18), the side yard setback shall be a minimum of zero (0) feet and the rear yard setback shall be a minimum of five (5) feet.
3. The variances granted and conditional use permit must be recorded on the property, as required by law, by the applicant and evidence of the recordings be submitted to the City of Hamburg; otherwise, the variance and CUP shall be consider null and void.

**I CERTIFY THAT** the above resolution (Resolution 2018-04) was adopted by the City Council of Hamburg, Carver County, Minnesota this 13<sup>th</sup> day of February, 2018.

  
Chris Lund, Mayor

**ATTEST:**

  
Jeremy Gruenhagen, City Clerk/Treasurer



“The City of Hamburg is an Equal Opportunity Employer and Provider.”