

**THIS ITEM HAS BEEN
MICROFILMED**

TO: Walter R. Benson, City Administrator
FROM: Jeanne A. Mabuth, Zoning Administrator
DATE: November 8, 1983
SUBJECT: #779 - Donald Maas/Park Gun Club - 3660 Sixth Avenue North -
Conditional Use Permit - Resolution

The enclosed resolution has been amended so that the special gun club use may be reviewed by the City at anytime the special use is found to be in violation of the conditions of this permit or any section of the municipal code. Review item (4) of Conclusions, Orders and Conditions.

The applicant has reviewed the amended resolution.

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**Granting A Conditional Use Permit to
Municipal Zoning Code Section 34.821
and 32.400 - File 779**

Whereas, the Park Sportsmen's Club, (hereafter "applicant") a Minnesota corporation, is the owner of a property located at 3660 Sixth Avenue North within the City of Orono (hereafter "City") and legally described as Lots 14 and 15, and the South 455 feet of Lot 1, all in Minnetonka Garden Acres, except that no effort has been made to mark the boundaries of that part of said Lots 14 and 15 lying Southerly of the Northerly right of way line of County Road No. 6 (hereafter "property"); and

Whereas, the applicant has applied to the City for a Conditional Use Permit per Sections 34.821 and 32.400 to permit the construction of a 10' X 20' basement addition to the existing club house structure on the west side for the purpose of providing increased storage.

Now, Therefore Be It Resolved by the City Council of Orono, Minnesota:

Findings

1. This application was reviewed as zoning file no. 779.
2. The property is located in the RR-1B Rural Residential zoning district.
3. The Orono Planning Commission reviewed this application on September 19, 1983, and recommended approval of the Conditional Use Permit as proposed based upon the following findings:
 - a) The proposed addition will not be in conflict with the intent and objectives of the RR-1B Zoning District nor of other applicable sections of the Orono Zoning Code.
 - b) The proposed addition will not allow a use of the property that will depreciate surrounding residential properties or be detrimental to the public, health, safety and welfare.
 - c) The club has operated for the past seven years under strict adherence to a programmed shooting schedule.

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d) The City has received no negative comments from the surrounding property owners notified during the review of application no. 779.

e) The proposed addition requires no setback variances to RR-1B zoning standards or to special setback standards set forth in Section 34.821.

4. The City Council has considered this application including the findings and recommendations of the Planning Commission, reports by City staff, comments by the owner and the effect of the proposed location and use of the structure on the health, safety and welfare of the community.

5. The City Council finds that granting a Conditional Use Permit to allow expansion of the existing private Gun Club use by permitting the construction of a 10' X 20' addition on the west side of the club house will not be detrimental to the health, safety or general welfare of the public, would not adversely affect traffic conditions, light, air nor pose a fire hazard or other danger to neighboring property, nor will it depreciate surrounding property values and the location and use of the structure will be in keeping with the intent and objectives of the zoning code and comprehensive plan of the City.

CONCLUSIONS, ORDER AND CONDITIONS

Based upon the above findings, the Orono City Council hereby grants a Conditional Use Permit per Sections 34.821 and 32.400 to allow construction of a 10' X 20' addition on the west side of the club house structure on the property subject to the following conditions:

1. The applicant will quit claim deed 33 feet of right of way for a road known as Starkey Road.
2. All construction must meet standards of the Uniform Building Code.
3. No setback or other variances are granted or permitted for this new construction.
4. Authorities granted by this Conditional Use Permit run with the property not with the owner, but are permissive only and must be exercised by application for a building permit within one year of the date of Council approval, or this Conditional Use Permit will expire on that date (October 11, 1984).

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5. Violation of or noncompliance with any of the terms and conditions of this permit shall constitute a violation of the zoning code, shall automatically terminate any authority granted herein, and shall be punishable as a misdemeanor.

6. The undersigned have read, understood and hereby agrees to the terms of this resolution and hereby agree to the recording of this resolution in the chain of title of the property.

Adopted by the Orono City Council on this 11th day of October, 1983.

ATTEST:

CITY OF ORONO

City Clerk

Mayor

(1) _____
Property Owner(s)

(2) _____
Property Owner(s)

(3) _____
Property Owner(s)

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STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

On this _____ day of _____, 1983, before me a Notary
Public within and for said County, personally appeared
_____ known to me to
be the person(s) described in and who executed the foregoing
instrument, and acknowledged that he (they) executed the same as his
(their) free act and deed.

NOTARY PUBLIC

MY COMMISSION EXPIRES

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

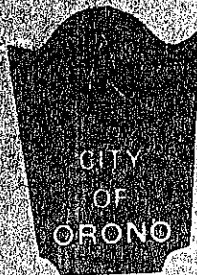
On this _____ day of _____, 1983, before me a Notary
Public within and for said County, personally appeared
_____ known to be the
person(s) described in and who executed the foregoing instrument, and
acknowledged that he (they) executed the same as his (their) free act
and deed.

NOTARY PUBLIC

MY COMMISSION EXPIRES

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Telephone 473-7357



CITY of ORONO

Post Office Box 66 • Crystal Bay, Minnesota 55323 • Municipal Offices

On the North Shore of Lake Minnetonka

December 6, 1983

Donald Maas
148 Glendale Drive
Long Lake, Minnesota 55356

Dear Mr. Maas:

Please contact me at your earliest convenience so that we can complete the filing of your recent conditional use permit application with the City.

Sincerely,

Jeanne A. Mabuth
Jeanne A. Mabuth
Zoning Administrator

cc: Ruby Gerschwind
4939 Vera Cruz Ave.
Mpls. Mn. 55429