

**CITY OF ORONOCO**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORONOCO, MINNESOTA DENYING  
THE REQUEST FOR A LAND USE PLAN AMENDMENT AND REZONING AT 710 MINNESOTA  
AVENUE SOUTH, ORONOCO, MINNESOTA

**WHEREAS**, the applicant, Patrick Hawkins, seeks a Land Use Plan amendment and rezoning for the property at 701 Minnesota Avenue South; and,

**WHEREAS**, the property is currently guided Highway Business on the Oronoco Future Land Use Map and zoned B-2 Highway Business. The request is to amend the Land Use Plan to Multi-Family Residential and rezone it to R-2 Multi-Family Residential, and;

**WHEREAS**, the property involved in the land use plan and rezoning request is depicted on a certificate of survey prepared by Rapp Land Surveying, Inc. dated 9-1-22 and is legally described as follows:

That part of Lot 2, Block 1, HASSLER VILLAGE, according to the recorded plat thereof, Olmsted County, Minnesota, described as follows: Beginning at the northwest corner of said Lot 2; thence South 00 degrees 26 minutes 02 seconds West (assumed bearing), along the west line of said Lot 2, a distance of 88.61 feet; thence South 89 degrees 34 minutes 12 seconds East 64.35 feet; thence South 11 degrees 36 minutes 39 seconds East 42.94 feet; thence North 81 degrees 56 minutes 52 seconds East 23.19 feet; thence North 26 degrees 17 minutes 44 seconds East 141.34 feet to an angle point in the north line of said Lot 2; thence North 89 degrees 33 minutes 58 seconds West, along the north line of said Lot 2, a distance of 157.90 feet to the point of beginning.

TOGETHER WITH a 20.00 foot easement for ingress and egress purposes over and across part of Lot 2, Block 1, HASSLER VILLAGE, according to the recorded plat thereof, Olmsted County, Minnesota, the centerline of which is described as follows: Commencing at the northwest corner of said Lot 2; thence South 00 degrees 26 minutes 02 seconds West (assumed bearing), along the west line of said Lot 2, a distance of 147.15 feet to the point of beginning of the centerline to be described; thence South 84 degrees 33 minutes 20 seconds East 67.30 feet; thence North 33 degrees 52 minutes 53 seconds East 28.57 feet to the south line of above described parcel, said centerline there terminating. The sidelines of said easement shall be lengthened or shortened to terminate on the west line of said Lot 2 and on the south line of above described parcel.

Subject to all easements and restrictions of record, if any.

and;

**WHEREAS**, Minnesota Statutes 462.357 Subdivision 1e requires that if a legal non-conforming use or occupancy is discontinued for a period of more than one year any subsequent use shall be a conforming use or occupancy, and;

**WHEREAS**, The Oronoco Zoning Code in Section 151.073 Nonconforming Uses states that "In the event that a nonconforming use of any building or building and land is discontinued for a period of one year, the use of the same shall conform thereafter to the uses permitted in the district in which it is located", and;

**WHEREAS**, Planning & Zoning reviewed the requests and heard testimony at a public hearing at its meeting on October 13, 2022 and recommended denial with conditions; and,

**WHEREAS**, the City Council reviewed the request, the Planning & Zoning Commission recommendation, staff reports, and public testimony at its meeting on October 18, 2022.

MOTION BY: EICHHORST  
SECOND BY: PHILLIPS

RESOLUTION NO. 2022-27b  
ADOPTED ON October 18, 2022

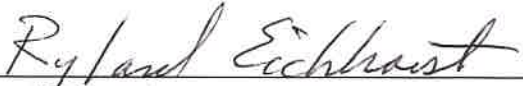
**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Oronoco Minnesota hereby denies a Land Use Plan amendment and rezoning for the property described above at 710 Minnesota Avenue South, with the following conditions and findings of fact:

Findings of Fact for Denial of Land Use Plan Amendment and Rezoning

1. The property is zoned B-2 Highway Business. Residential uses are not permitted by the Oronoco zoning code in the B-2 district.
2. There is a single family home on the property which has been converted to two dwelling units without City approval. The owner is requesting a rezoning of a portion of the property on which the home sits to R-2 Multi-Family so that the use can legally continue.
3. The adopted Future Land Use Plan for the City of Oronoco designates this property and immediately surrounding properties as B-2 Highway Commercial as part of a larger commercial corridor along Minnesota Avenue.
4. The requested rezoning is out of place in the land use scheme adopted by the City and which is expected to develop in coming years – a small parcel of residential use in the middle of this land use pattern.

**AND BE IT FUTHER RESOLVED** that the City Administrator or her designee is authorized to take steps necessary for the implementation of this Resolution.

COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Ryland Eichhorst, Mayor	X			
Jim Phillips, Vice Mayor	X			
Dana Bergner		X		
Jim Richards	X			
Carl Krause				X

  
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Ryland Eichhorst, Mayor

**ATTEST:**

  
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Sunny Bjorklund Schultz, City Administrator