

RESOLUTION NO: 23-36

TOWN OF BALDWIN  
COUNTY OF SHERBURNE, MINNESOTA

APPROVAL OF AN INTERIM USE PERMIT FOR  
PID 01-016-4300

**WHEREAS**, Jacob Seidenstricker (the “owner”) has submitted application for an Interim Use Permit to allow operation of a medium contractors yard upon the property located at 30301 US Highway 169 identified as PID 01-016-4300; and

**WHEREAS**, the property is guided for Rural Residential land uses Comprehensive Plan; and,

**WHEREAS**, the property is zoned R1, General Rural District; medium contractor uses are allowed within the R1 District subject to approval of an interim use permit.

**WHEREAS**, the application for in Interim Use Permit approval is be processed in accordance with Section XX-5-5 of the Zoning Ordinance; and

**WHEREAS**, the Town Board must take into consideration the possible effects of the request with their judgment based upon (but not limited to) the criteria outlined in Section XX-5-2 of the Zoning Ordinance:

- A. The proposed action's consistency with the specific policies and provisions of the town comprehensive plan.

Finding: The Comprehensive Plan promotes development of high quality, high value industries that expand tax base and create employment opportunities within the Town. The R1 District allows limited opportunity for certain businesses to operate subject to approval of an Interim Use Permit. The US Highway 169 corridor is an asset in this regard providing both access and visibility for commercial and industrial uses. The requested Interim Use Permit would establish a location suitable for a small business increasing tax base and adding employment within the Town consistent with the Comprehensive Plan.

- B. The proposed use's compatibility with present and future land uses of the area.

Finding: The property is bounded by US Highway 169, a DNR owned publicly accessible property, large wetland areas, and large undeveloped rural parcels. The proposed use will be compatible with existing and planned land uses in the area.

- C. The proposed use's potential to impact natural resources such as surface water, groundwater, or wetlands; sites identified for rare biological species habitat; ecologically sensitive areas; or historically significant areas.

Finding: The proposed use will not impact natural resources or historically significant areas.

- D. The proposed use's conformity with all performance standards contained within [the Zoning Ordinance] and other town ordinances.

Finding: The propose use will be required to comply with all applicable Town ordinances.

- E. Traffic generation of the proposed use in relation to capabilities of roads serving the property.

Finding: The proposed use has access to US Highway 169 with adequate capacity to accommodate traffic generated by the proposed use.

- F. The proposed use can be accommodated by existing public services and facilities and will not overburden the town's service capacity.

Finding: The proposed use will not overburden the Town's existing service capacity.

**WHEREAS**, the Planning Reports dated 19 October 2023 and 31 October 2023 prepared by the Town Planner, The Planning Company, LLC, is incorporated herein by reference; and

**WHEREAS**, the Planning Commission conducted a public hearing at their regular meeting on 25 October 2023 to consider the application, preceded by published and mailed notice; based upon review of the application and evidence received, the public hearing was closed; the Planning Commission adopted findings and recommended by a 7-0 vote that the Town Board approve the request.

**WHEREAS**, the Town Board considered the application at their meeting on 6 November 2023.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF BALDWIN TOWNSHIP, MINNESOTA THAT** the Interim Use Permit is hereby approved, subject to the following stipulations:

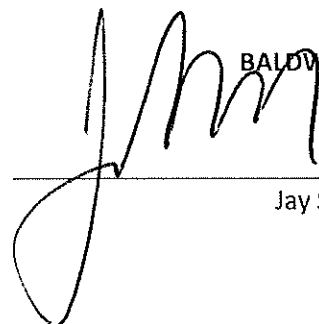
1. The existing 5,400 square foot building shall not be occupied for residential or commercial purposes except as approved by the Building Official.
2. There shall be a maximum of 20 commercially licensed motorized or non-motorized vehicles associated with the contractor's yard including trucks and trailers allowed.
3. There shall be a maximum of 20 employees (full time equivalent) working onsite, including employees who are on-site to pick up and drop off materials and equipment.
4. All elements of the contractors yard, including structures, vehicles, equipment, and material stockpiles, shall comply with the setback requirements established by the Zoning Ordinance.
5. Access to US Highway 169 shall be subject to review by the Town Engineer as to required minimum improvements necessary for operation of the medium contractors yard and approval of the Town Board.
6. All off-street vehicle storage and circulation areas shall be surfaced with Class 5 material, subject to review and approval of the Town Engineer.

7. Outdoor storage of uncut and cut wood shall be setback a minimum of 20 feet from any conifer stands, subject to approval of the Fire Chief.
8. All signs shall comply with Chapter 23 of the Zoning Ordinance and require approval of a sign permit prior to placement upon the property.
9. Installation of any new exterior lighting and all existing light fixtures upon the property shall comply with Section XX-16-XX of the Zoning Ordinance, including installation of 90-degree horizontal shielding, subject to review and approval of the Zoning Administrator.
10. All wetland issues shall be subject to review and approval of Sherburne County.
11. Use of onsite well and Subsurface Sewage Treatment Systems shall be subject to review and approval of the Building Official.
12. The Interim Use Permit shall terminate upon any of the following events, whichever occurs first:
  - a. Upon violation of conditions under which the interim use permit was issued.
  - b. Upon change in the town's zoning regulations that renders the use nonconforming.
  - c. The redevelopment of the use and property upon which it is located to a permitted or conditional use as allowed within the respective zoning district.
  - d. Upon a change in ownership, whether pursuant to move, sale, transfer, assignment, or otherwise, the owner or proposed new owner must complete a new application subject to approval pursuant to the Zoning Ordinance.

**ADOPTED** by the Town Board of Supervisors of Baldwin Township this 6<sup>th</sup> Day of November, 2023.

**MOTION BY:**  
**SECONDED BY:**  
**IN FAVOR:**  
**OPPOSED:**

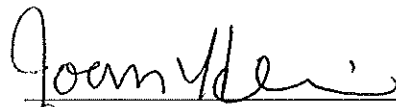
BALDWIN TOWNSHIP




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Jay Swanson, Chair

ATTEST:




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Cathy L. Steveris, Town Clerk/Treasurer

