

RESOLUTION NO: 25-18

**CITY OF BALDWIN
COUNTY OF SHERBURNE
STATE OF MINNESOTA**

**APPROVAL OF AN INTERIM USE PERMIT
PID 01-00033-2303**

WHEREAS, applicants Jonathan and Megan Clover are requesting an Interim Use Permit to allow a home occupation.

WHEREAS, the property is legally described by Exhibit A.

WHEREAS, the property is guided for Rural Residential land uses Comprehensive Plan.

WHEREAS, the property is zoned R1, General Rural District.

WHEREAS, the applicant is proposing to conduct a home occupation within a detached accessory building upon the property; home occupations conducted from a residential detached accessory building are allowed within the R1 District subject to approval of an Interim Use Permit subject to Section 900-5-4.K of the Zoning Ordinance.

WHEREAS, the City Council must take into consideration the possible effects of the request with their judgment based upon (but not limited to) the criteria outlined in Section 900-5-2 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 establishment of land use patterns that will provide connections to existing public amenities and the natural landscape. Existing rural residential character is to be expanded without adversely affecting scenery or open spaces. The Zoning Ordinance limits home occupations through performance standards intended to preserve rural character consistent with the Comprehensive Plan.

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

Finding: The Zoning Ordinance allows home occupations subject to the performance standards set forth by Section 900-5-4.K of the Zoning Ordinance to maintain compatibility with surrounding uses; if the proposed use complies with the requirements of the Zoning Ordinance, the expectation is that the use will be compatible.

- 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 comply with all applicable City ordinances.

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

Finding: The property is accessed via 128th Street (CR 45), which has 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 City's service capacity.

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

WHEREAS, the Planning Commission considered the application at their meeting on 26 June 2025; those wishing to speak were heard by the Planning Commission.


WHEREAS, the planning report dated 26 July 2025 prepared by the City Planner, The Planning Company LLC, is incorporated herein.

NOWHEREFORE BE IT RESOLVED BY THE BALDWIN CITY COUNCIL THAT based on the foregoing information and applicable ordinances, the request is hereby **APPROVED**, subject to the following conditions:

1. The Interim Use Permit shall terminate upon happening 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 Zoning Ordinance 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.
2. The business shall be located on the homesteaded property of the business owner.
3. Shall be no employees other than members of the household residing on the premises.
4. The property owner shall obtain and possess boat dealer license issued by the Minnesota Department of Public Safety at all times that boats are offered for display from the property.
5. Outdoor sales and display upon the property shall be limited to three licensed and operable consigned boats under within a defined area that complies with the setback requirements of the R1 District and Shoreland Overlay District surfaced to with Class-5 materials.

6. Business hours of operation shall be limited to 8:00AM to 5:00PM on Monday through Saturday, except boat showings by appointment only between 5:00PM and 9:00PM; no work shall be allowed on Sunday.
7. No boats shall be displayed or stored within the display area between October 1 to May 1.
8. There may be no more than one non-illuminated business sign totaling not more than 12 square feet on the premises.
9. Any solid or liquid waste shall be handled and disposed of according to any applicable county or state regulations.
10. There may be no sandblasting, chemical/paint spraying, or similar activity associated with the business.
11. The applicant and/or property owner shall permit the Zoning Administrator to inspect the property at any time.

CONDITIONS HEREBY AGREED TO

BY 
Jonathan Lee Clover

BY 
Megan Clover


(remainder of page intentionally blank signatures follow)

ADOPTED by the Baldwin City Council this 7th day of July, 2025.

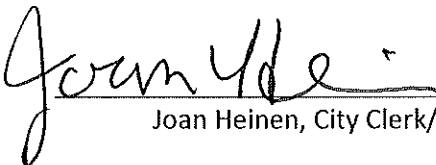
MOTION BY: Walker
SECOND BY: Case
ALL IN FAVOR: All
THOSE OPPOSED: none

Jay Swanson Absent

CITY OF BALDWIN



Tom Rush, Acting Mayor
ATTEST:



Joan Heinen, City Clerk/Treasurer