



**NOTICE OF PUBLIC HEARING
ALTERNATIVE MEETING FORMAT
(Statutes section 13D.021)
Interim Use Permit**

Notice is hereby given that a Public Hearing will be held by the City of Columbus Planning Commission on Wednesday, May 6, 2020 at 7:00 p.m., or as soon thereafter as parties may be heard, and will be conducted by alternative means (teleconference) from remote locations to consider a request for an interim use permit to operate a used vehicle sales dealer (R&T Auto Sales) as a residential zoned business in the RR district. The meeting will occur under the conditions outlined in statutes section 13D.021. Members of the public interested in monitoring the meeting by telephone can find the phone number and passcode on the City website or contact the City Offices at 651.464.3120. The hearing shall continue until all evidence and testimony has been received.

<u>Applicant:</u>	Thomas B. Swenson
<u>Property Owners:</u>	Thomas B. Swenson
<u>Property Location:</u>	7643 Camp 3 Rd, Columbus, MN
<u>Legal Description:</u>	PIN#15-32-22-34-0006 THAT PRT OF S 685 FT OF SE ¼ OF SW ¼ OF SEC 15 T32 R22 LYG E OF W 309.37 FT THEREOF & LYG W OF E 699 FT OF SD ¼, 1/4, EX RD, SUBJ TO EASE OF RECORD, ANOKA COUNTY, MN

Elizabeth Mursko

Elizabeth Mursko, Zoning Administrator

Submitted to the Forest Lake Times on 04.16.20
Published in the Forest Lake Times on 04.23.20
Posted on 04.16.20

Receipt #: 20953
check #: 7814
3/30/2020
App Fee: \$1200.00
Escrow \$1500.00



IUP
RECEIVED
MAR 27 2020

City of Columbus
60 Days: May 25, 2020
120 Days: July 24, 2020

16319 Kettle River Blvd. • Columbus, MN 55025
phone: (651) 464-3120
website: ColumbusMN.us

APPLICATION FOR CONSIDERATION OF CONDITIONAL USE PERMIT, INTERIM USE PERMIT
RE-ZONING, SITE PLAN REVIEW, VARIANCE

APPLICANT:

Name: Thomas Swenson Phone: 651-605-5223 (Alt.): _____

Address: 7643 Camp 3 Rd NE Email: swenson.tom@yahoo.com

City: Columbus State: MN Zip: 55025

OWNER: (If other than applicant)

Name: _____ Phone (work) _____ (Alt.) _____

Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Legal description of property: 15-32-22-34-0006

Lot(s) _____ Block(s) _____ Additions(s) _____

Existing use of property: sell used cars Present zoning: RR

Action Requested: Please check (✓) Re-zoning Site Plan Review Variance

Conditional Use Permit Interim Use Permit SSTS Administrative Variance

Other (fill in) _____

Description of and reason for request (attach additional information and requirements if necessary)

See Attached

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

SIGNATURE OF APPLICANT: Tom Swenson DATE: 3-25-20

SIGNATURE OF OWNER: Tom Swenson DATE: 3-25-20

R&T Auto Sales, Inc., Thomas Swenson, 651-605-5223

Reapply for the interim use permit for my property and requesting a 5 year permit.

I have run a small business, R & T Auto Sales, selling used cars for nearly 20 years at my residential property located at 7643 Camp 3 Rd NE, Columbus, MN, with an interim use permit. During this time, I have always kept my property clean and orderly. I have never had a complaint about the business or the condition of my property.

I run the business out of the barn on my property where all of the vehicle inventory, parts and material associated with business are stored. My business hours are by appointment only 8:00 am – 7:00 pm Monday through Saturday. I have a small business sign located above the door to the barn entrance.

Most of my vehicles purchased are now being resold at other auctions after they are cleaned if needed. Often vehicles do not come to the property because they are sold at other auctions. Because of this, I do not generate much customer traffic.

All vehicles are operable when they are brought on the property. Some vehicles I purchase (which do not go directly to another auction) are sent to a repair shop for work, including all painting of vehicles and vehicle parts. I do not change the oil on vehicles for sale; if needed, I take the vehicle in for an oil change. Once back from the repair shop, sometimes I have to reassemble the vehicles: install a fender, hood, bumper cover, headlight. Occasionally I need to install new struts, brake pads and rotors.

Finally, I take the vehicles to the car wash in Forest Lake to wash the outside. Then I bring the vehicles home to vacuum and clean the inside, take pictures and put them online for sale.

I have previously been granted permission for 20 vehicles for the business on the property. However, I am now requesting a maximum of 15 vehicles for the business on the property at one time and all will be kept in the barn.

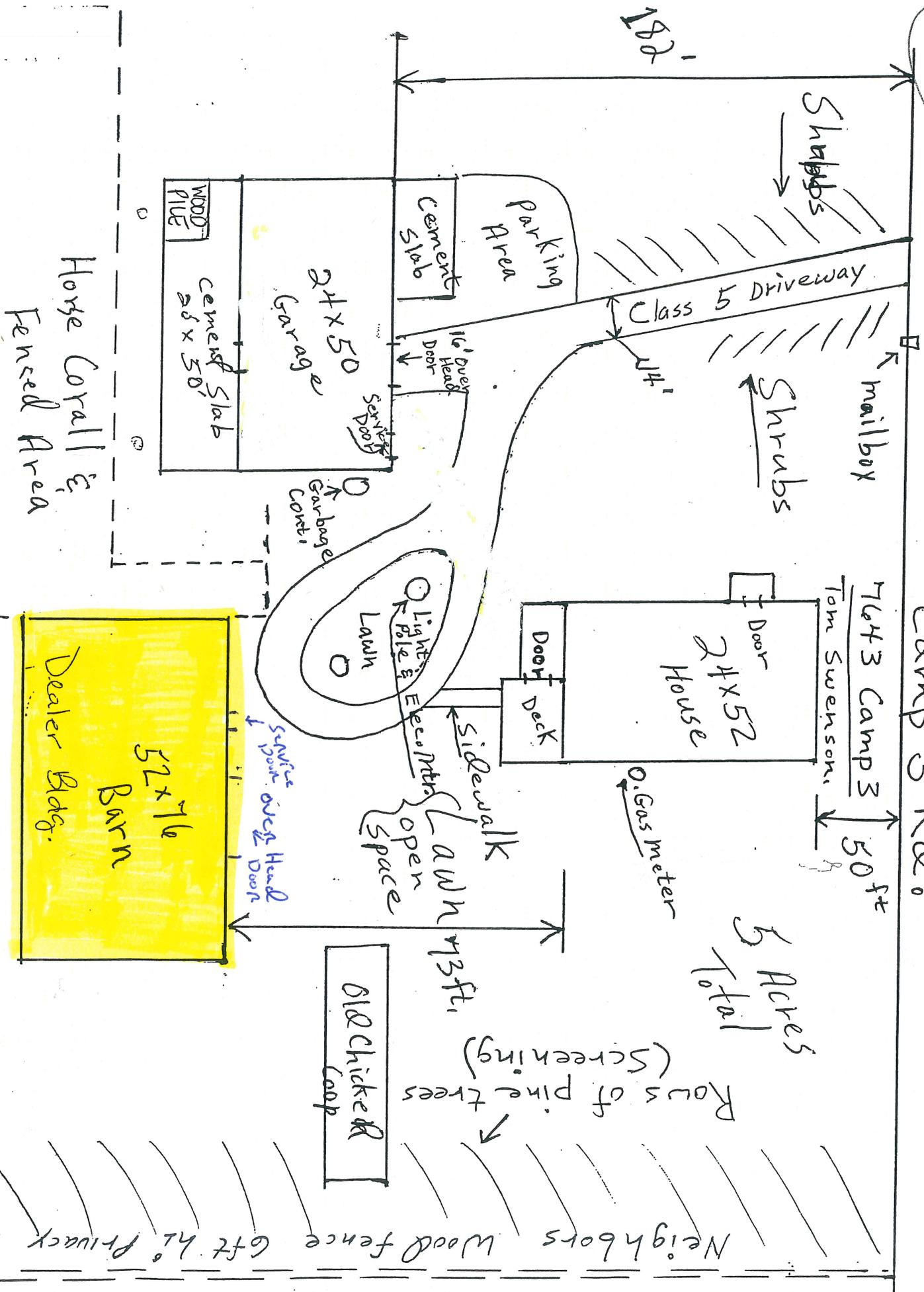
R & T Auto sales will not create any noise, glare, odors, fumes or vibration at all. No vehicles will be displayed for sale on the property outside of the barn. There will be no impact to the adjacent properties or any property in the area. Other than the mailbox being labeled R & T Auto Sales and the small, sign above the barn door, there is no indication of a small business being on the property. It will always look like a regular, residential property. You are welcome to come by and see the property, please give me a call to set up a time.

#6

Camp 3 Rd.

new compo

180'



Anoka County, MN



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 100 feet
 3/26/2020

7643 Camp 3 Rd
 2020

S T A T E O F M I N N E S O T A

Dealer License Certificate

DEALER NUMBER: DLR25897

EXPIRATION: SEPTEMBER 30, 2020

Name: R AND T AUTO SALES INC

Dealer Type: USED

DBA:

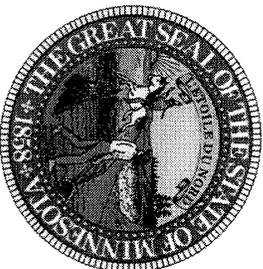
Franchise(s):

Address: 7643 1/2 CAMP 3 RD
FOREST LAKE MN 55025

Additional Loc:

Owners/Officers: THOMAS B SWENSON
NO EMPLOYEES

DVS
Driver &
Vehicle Services





April 6, 2020

Thomas Swenson
7643 Camp 3 Rd NE
Columbus, MN 55025
Via Email: swensontom@yahoo.com

RE: Interim Use Permit Application for a Residential Zoned Business

Dear Mr. Swenson,

The City of Columbus is in receipt of your Interim Use Permit (IUP) application to operate a Residential Zoned Business pertaining to the sale of used automobiles on your residential property, located at 7643 Camp 3 Rd NE. The application was received 03.27.20. Upon review of your application submittals, the City of Columbus Planning Department finds your application complete with the following advisory comment below.

The City of Columbus Planning Commission will hold the required Public Hearing to consider your application at its meeting on Wednesday, May 6, 2020 at approximately 7 p.m. in the City Hall. We require you or a representative call in to or attend the meeting and present your application at the Public Hearing.

Going forward, you will receive a copy of the staff report and recommendations regarding the IUP application and information regarding the meeting format approximately one week prior to the Planning Commission meeting. If you have any questions about this schedule or the review process, please contact me at 651.419.9008.

Advisory Comments

- How many employees do you intend on employing at you Residentially Zoned Business?

No Employees *4-7-20*

Sincerely,

Ben Gutknecht
City Planning Technician

16319 Kettle River Boulevard, Columbus, MN 55025

651.464.3120 Twin Cities 651.464.5922 Fax

www.ColumbusMN.com



To: City of Columbus Planning Commission
From: Ben Gutknecht, City Planning Technician
Date: April 17, 2020
RE: Thomas Swenson Residential Zone Business Interim Use Permit

After review of the Interim Use Permit Application for a Residential Zone Business consisting of used car sales, the City of Columbus Planning Staff provides the following Findings of Fact and Recommendations:

Findings of Fact

1. The Interim Use Permit application for a Residential Zone Business by Tom Swenson (R & T Auto) was received on March 27, 2020.
2. The application was found complete for review on 04.06.20.
3. The 60-day review deadline is May 25, 2020.
4. The 120-day review deadline is July 24, 2020.
5. Swenson is proposing to renew an existing IUP for the same business for 5 years.
6. Swenson has been operating the business for at least 20 years.
7. The lot is a total of 5.02 acres located at 7643 Camp 3 Rd NE, (PID: 15-32-22-34-0006) on property legally described as that Part of South 685 feet of Southeast ¼ of Southwest ¼ of Section 15 Township 32 Range 22 Lying East of West 309.37 feet Thereof and Lying West of East 699 Feet of SD ¼, 1/4 , EX RD, Subject to Easement of Record.
8. The Property is zoned Rural Residential (RR).
9. Residential Zone Business are an interim use in the RR District, subject to the conditions and requirements of Section 7A-806 of the City Code.
10. Swenson resides on the Property and the Current IUP Expires April 25, 2020.
11. Currently Swenson may store up to 20 vehicles on the Property however, the applicant is requesting to store a maximum of 15 used cars on the property.
12. The vehicles are stored completely within a 52'X76' accessory building (dealer building) that exists on the property. No vehicles are stored outside.
13. The operating hours are by appointment only, 8:00 a.m.- 7:00 p.m. Monday through Saturday.
14. Currently, most vehicles are being sold at other auctions and do not go to the property.
15. Swenson is the only employee and there are no plans to hire any additional employees.
16. Only minor repairs to vehicles have been allowed, e.g. tire, headlight replacement and minor body part repair. Most intensive repairs are done offsite, oil changes are done offsite.

17. The cars are washed off property. The vehicles are then vacuumed, and pictures taken on the property.
18. One existing sign on the “dealer building” is allowed.
19. Currently no other non-residential use of the property is allowed.
20. A copy of a Minnesota Dealer License Certificate that expires September 30, 2020 has been provided to the City.
21. The Planning Commission held a public hearing to consider the Interim Use Permit Renewal on May 6th, 2020.

Conditions

Based upon the above Findings of Fact, the Interim Use Permit for Tom Swenson (R &T Auto) should be approved subject to the following Conditions:

1. The Residential Zone Business shall comply with and is subject to all of the provisions of the City’s Zoning Ordinance regarding Residential Zone Business, including but not limited to the provisions of Section 7A-806.
2. The permit shall be valid for a term of five (5) years from the date of approval, subject to earlier expiration or revocation as otherwise provided herein.
3. The Residential Zone Business shall be limited to the indoor storage of fifteen (15) used cars and light trucks (no heavy machinery) for sale with some accessory light repair work for the purpose of preparing the vehicles for sale. No engine work, transmission work, painting, or other intensive repair work shall be permitted in connection with the Residential Zone Business. The Property shall in no way be operated as a salvage yard.
4. All storage of vehicles and related materials shall be stored indoors and out of public view.
5. The Residential Zone Business will be conducted entirely within the 52’X76’ pole building, indicated on the Site Plan provided in the application submitted March 27, 2020.
6. Business hours shall be 8:00 a.m.- 7:00 p.m. Monday through Saturday.
7. Absolutely no outdoor storage or display of vehicle inventory shall be permitted.
8. No other business shall be conducted on the property.
9. Swenson shall remain the sole employee of the Residential Zoned Business.
10. The Residential Zone Business shall not generate odors, gases, hazardous waste, fumes, or other conditions that interfere with or infringe upon the quiet possession and enjoyment of surrounding properties.
11. Swenson shall be permitted to affix one non-illuminated wall sign not to exceed two square feet in area for the purpose of advertising the Residential Zone Business.
12. Swenson and any employees, agents, and assigns shall comply with all local, State, and federal laws, regulations, and ordinances in the conduct of the Residential Zone Business.

13. Should traffic concerns arise the City Council reserves the right to re-open the Interim Use Permit for review.
14. Swenson must contact Anoka County Environmental Services to establish whether a permit is needed for hazardous waste disposal.
15. In the event the City Council determines, in its sole discretion, that the Residential Zone Business is not being conducted in accordance with any term or condition contained herein, the Permit may be revoked by the City Council upon proper notice and a hearing. The City shall notify the State licensing authorities that have issued licenses in connection with the Residential Zone Business of any such revocation.
16. Swenson shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the Permit, including reasonable attorney's fees and consultant fees.
17. The Permit provided herein is issued solely for the benefit of Swenson and may not be sold, assigned, or otherwise transferred in any manner whatsoever.
18. The applicant shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the IUP and for all ongoing inspections and enforcement actions required for the IUP.