

**RESOLUTION NO. 091817-04
CITY OF WAITE PARK**

**A RESOLUTION AUTHORIZING THE REVOCATION OF THE CONDITIONAL USE
PERMIT GRANTED TO DALE POGANSKI ON PROPERTY AT 408 3RD STREET
NORTH, WAITE PARK, MINNESOTA**

WHEREAS, the City Council has heard and read the report of Jon Noerenberg, the Planning and Community Development Director acting as the Building/Code Enforcement Officer, regarding nuisance conditions on the property located at 408 3rd Street North, Waite Park, Minnesota, legally described as follows:

Lots 1, 2, 3, 4, 5, and 6, Block 6, Townsite of Waite Park, according to the plat thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota;

and

WHEREAS, the City Council has conducted a duly noticed public hearing on the revocation as hereinafter defined at which the views of all interested parties were heard; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Waite Park, Stearns County, Minnesota, as follows:

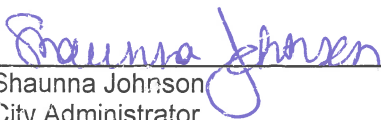
1. Findings.

- a) A Conditional Use Permit was recorded on the above described property on October 16, 1998, granting Dale Poganski, the owner of said property, a Conditional Use Permit for a car repair business and related uses.
- b) Dale Poganski has been contacted several times since being granted the Conditional Use Permit. Mr. Poganski was most recently contacted via certified mail on April 28, 2017, and via registered mail on September 7, 2017.
- c) The most recent letter dated September 7, 2017 notified Mr. Poganski of the nuisance issues and noncompliance of terms of the Conditional Use Permit and gave notice of the hearing date scheduled for September 18, 2017 at 6:30 p.m. at the Waite Park City Hall, 19 13th Avenue North, Waite Park, Minnesota.
- d) The conditions present on the above described property are not in compliance with the terms of the Conditional Use Permit.
- e) As of September 7, 2017, the nuisance conditions and noncompliance issues with the Conditional Use Permit still exist on the above described property.
- f) This property has repeatedly been out of compliance with the Conditions of the Permit and has come before the Waite Park City Council on the following dates: April 10, 2001; February 22, 2005; August 21, 2006 and August 16, 2010.

2. Revocation.

- a) In accordance with Ordinance 52.51.02, subdivision 5 of the City of Waite Park's Code of Ordinances, the Conditional Use Permit has expired based upon the noncompliance with the terms of the Conditional Use Permit.
- b) The City of Waite Park is authorized to revoke the Conditional Use Permit granted on the above described property.

Adopted by the City Council this 18th day of September, 2017.



Shaunna Johnson
City Administrator

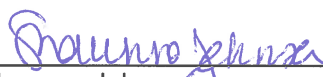


Richard E. Miller
Mayor

ACTON ON THIS RESOLUTION:

Motion for adoption: Member Linquist
Seconded by: Member Schulz
Voted in favor of: Mayor Miller, Members Linquist, Schneider, Schulz
Voted Against: Member Theisen
Abstained: None
Absent: None
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Waite Park City Council at a duly authorized meeting held on September 18, 2017.



Shaunna Johnson
City Administrator