



X-C-01(a-d)

City Council Memorandum

To: Mayor Fasbender & City Councilmembers
From: Justin Fortney, City Planner
Date: February 21, 2023
Item: Resolution – Renewal – Four Home Occupation Licenses

Council Action Requested:

Review and act on the attached resolutions approving Type II Home Occupation License renewals, for the following locations:

1. 1505 Brooke Court
2. 413 18th St East
3. 3121 Riverwood Drive
4. 3923 Martin Lane

Background Information:

A Type II Home Occupation License is required when an applicant has outside employees working at the home, more than one vehicle visits the home at a time, or when a garage or shed is used for the business. Home occupation licenses must be renewed every 5-years.

The subject home occupations have been operating for over five-years without any known adverse effects. The applicants have all confirmed that their operations have not changed or become more intense since last approved or renewed. Their operations include the following uses and Type II Home Occupation requirements:

- 1) Dan Rother Photography, 1505 Brooke Ct.
Photography studio with outside employees and more that one customer visiting at a time.
- 2) Patrick Moseng, Moseng Locksmithing Co., 413 18th St E
Key and locksmithing in a detached garage.
- 3) Larry and Shelly Sukow, 3121 Riverwood Dr.
Creation of lawn art and décor in the garage.
- 4) Mitch and Darcy Shemon, Backyard Party Rentals, 3923 Martin Ln.
Trailers with party tents and the like stored in the garage for delivery.

Notification and Complaints

Notifications of the renewals were sent to property owners within 350-feet of the subject properties. Staff has not received any comments or complaints from the operation of the subject home occupations since they began.

Financial Impact:

N\A

Advisory Commission Discussion:

The Planning Commission reviewed the original requests and recommended approval. Renewals do not require Planning Commission review unless they have increased intensity or substantially modified their operations.

Council Committee Discussion:

None

Attachments:

- Resolutions of renewal for the four subject properties

HASTINGS CITY COUNCIL

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS RENEWING THE TYPE II HOME OCCUPATION PERMIT FOR DAN ROTHER AT 1505 BROOKE COURT

Council member _____ introduced the following Resolution and moved its adoption:

WHEREAS, Dan Rother has petitioned to renew a Type II Home Occupation Permit to operate a photography studio at 1505 Brooke Court, legally described as Lot 14, Block 2, HIGHLAND HILLS 5TH ADD, Dakota County, Minnesota; and

WHEREAS, on December 6, 2004, the City Council of the City of Hastings adopted Resolution No. 12-05-04 approving a provisional Type II Home Occupation permit; and

WHEREAS, on November 7, 2005, the City Council of the City of Hastings adopted Resolution No. 11-05-05 approving a full Type II Home Occupation permit; and

WHEREAS, the Type II Home Occupation permit has expired; and

WHEREAS, review was conducted before the City Council of the City of Hastings, as required by state law, city charter and city ordinance.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

That the City Council hereby approves the Type II Home Occupation license request of Dan Rother Photography, as presented to the City Council subject to the following conditions:

- 1) That the business be operated in compliance with the information provided by the applicant. The applicant shall provide the Planning Department notice of changes that expand the business (i.e. additional outside employees, use of

garage/shed in operation of business, etc.) to determine if the business is
operating within the confines of the code. X-C-01(a-d)

- 2) That the business will be operated in compliance with the Home Occupation regulations as established by the Hastings City Council.
- 3) That this permit shall expire on February 21, 2028. At such time, the applicant will need to apply for a renewal.

Council member _____ moved a second to this resolution and upon being put to a vote adopted by _____ present.

Ayes: _____

Nays: _____

Absent: _____

ATTEST:

Mary Fasbender
Mayor

(City Seal)

Kelly Murtaugh
City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 21st day of February, 2023, as disclosed by the records of the City of Hastings on file and of record in the office.

Kelly Murtaugh, City Clerk

This instrument drafted by:
City of Hastings (JJF)
101 4th St. East
Hastings, MN 55033

(SEAL)

HASTINGS CITY COUNCIL

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS RENEWING THE TYPE II HOME OCCUPATION LICENSE FOR LARRY AND SHELLY SUKOW 3121 RIVERWOOD DR

Council member _____ introduced the following Resolution and moved its adoption:

WHEREAS, Larry And Shelly Sukow have petitioned to renew a Type II Home Occupation license to operate a lawn décor creation operation at their home, generally located at 3121 Riverwood Drive, legally described as Lot 2, Block 6, Riverwood 2nd Addition, Dakota County, Minnesota; and

WHEREAS, on July 16, 2012, the City Council of the City of Hastings adopted a resolution approving a provisional Type II Home Occupation permit; and

WHEREAS, on July 15, 2013, the City Council of the City of Hastings adopted a resolution approving a full Type II Home Occupation permit; and

WHEREAS, the Type II Home Occupation permit has expired; and

WHEREAS, review was conducted before the City Council of the City of Hastings, as required by state law, city charter and city ordinance.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

That the City Council hereby approves the Type II Home Occupation license request of Larry and Shelly Sukow, as presented to the City Council subject to the following conditions:

- X-C-01(a-d)
- 1) That the business be operated in compliance with the information provided by the applicant. The applicant shall provide the Planning Department notice of changes that expand the business (i.e. additional outside employees, use of garage/shed in operation of business, etc.) to determine if the business is operating within the confines of the code.
 - 2) That the business will be operated in compliance with the Home Occupation regulations as established by the Hastings City Council.
 - 3) That this permit shall expire on February 21, 2028. At such time, the applicant will need to apply for a renewal.

Council member _____ moved a second to this resolution and upon being put to a vote adopted by _____ present.

Ayes: _____

Nays: _____

Absent: _____

ATTEST:

Mary Fasbender
Mayor

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HASTINGS CITY COUNCIL

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS RENEWING THE TYPE II HOME OCCUPATION LICENSE FOR MITCH AND DARCY SHEMON AT 3923 MARTIN LANE

Council member _____ introduced the following Resolution and moved its adoption:

WHEREAS, Mitch and Darcy Shemon have petitioned to renew a Type II Home Occupation license to operate a party tent rental operation at their home, generally located at 3923 Martin Lane, legally described as Lot 20, Block 3, South Pines 4th Addition, Dakota County, Minnesota; and

WHEREAS, on March 6, 2017, the City Council of the City of Hastings adopted a resolution approving a provisional Type II Home Occupation permit; and

WHEREAS, on March 19, 2018, the City Council of the City of Hastings adopted a resolution approving a full Type II Home Occupation License; and

WHEREAS, the Type II Home Occupation License has expired; and

WHEREAS, review was conducted before the City Council of the City of Hastings, as required by state law, city charter and city ordinance.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

That the City Council hereby approves the Type II Home Occupation license request of Mitch and Darcy Shemon, as presented to the City Council subject to the following conditions:

- 1) That the business be operated in compliance with the information provided by the applicant. The applicant shall provide the Planning Department notice of changes that expand the business (i.e. additional outside employees, use of garage/shed in operation of business, etc.) to determine if the business is operating within the confines of the code.
- 2) That the business will be operated in compliance with the Home Occupation regulations as established by the Hastings City Council.
- 3) That this permit shall expire on February 21, 2028. At such time, the applicant will need to apply for a renewal.

Council member _____ moved a second to this resolution and upon being put to a vote adopted by _____ present.

Ayes: _____

Nays: _____

Absent: _____

ATTEST:

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HASTINGS CITY COUNCIL

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS RENEWING THE TYPE II HOME OCCUPATION LICENSE FOR PATRICK MOSENG, MOSENG LOCKSMITHING CO
413 18TH ST E**

Council member _____ introduced the following Resolution and moved its adoption:

WHEREAS, Patrick Moseng petitioned to renew a Type II Home Occupation license to operate a key and locksmithing operation at his home, generally located at 413 18th Street East, legally described as the east 66-feet of the west 198-feet, of Lot 7, Block 1, Leducs 4th Addition, Dakota County, Minnesota; and

WHEREAS, on August 21, 2006, the City Council of the City of Hastings adopted a resolution approving a provisional Type II Home Occupation permit; and

WHEREAS, on November 19, 2007, the City Council of the City of Hastings adopted a resolution approving a full Type II Home Occupation License; and

WHEREAS, on December 17, 2012, the City Council of the City of Hastings adopted a resolution renewing the Type II Home Occupation License for five years; and

WHEREAS, the Type II Home Occupation License has expired; and

WHEREAS, review was conducted before the City Council of the City of Hastings, as required by state law, city charter and city ordinance.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

That the City Council hereby approves the renewal of the Type II Home Occupation license request of Patrick Moseng, as presented to the City Council subject to the following conditions:

- X-C-01(a-d)
- 1) That the business be operated in compliance with the information provided by the applicant. The applicant shall provide the Planning Department notice of changes that expand the business (i.e. additional outside employees, use of garage/shed in operation of business, etc.) to determine if the business is operating within the confines of the code.
 - 2) That the business will be operated in compliance with the Home Occupation regulations as established by the Hastings City Council.
 - 3) That this permit shall expire on February 21, 2028. At such time, the applicant will need to apply for a renewal.

Council member _____ moved a second to this resolution and upon being put to a vote adopted by _____ present.

Ayes: _____

Nays: _____

Absent: _____

ATTEST:

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