

ORDINANCE 2007-04

AN ORDINANCE PERMITTING A CHANGE IN NONCONFORMING USE
OR OCCUPATION FOR CERTAIN LANDS IN THE CITY OF GRAND
MARAIS

Whereas, At the time that the Grand Marais Zoning Ordinance was adopted in 1971, the following described premises:

Lots 9 and 10, Block 51, Village Plat of the Village (now City) of Grand Marais, according to the plat thereof on file and of record in the office of the Cook County Recorder.

were owned by Minnesota Independent School District 166, and were used for classes and as a school performing arts area; and

Whereas, In 1972, the Grand Marais Playhouse used the premises for summer dramatic performances; and

Whereas, In 1976, Independent School District 166 sold the premises to the Grand Marais Playhouse by Contract for Deed, and the school district continued to use the building for limited uses (including school plays).

Whereas, In May, 2002, Betsy Bowen purchased the building from the Grand Marais Playhouse, after the City approved and recognized that the 1971 uses as an art studio, rehearsal, and performance space were valid, preexisting, and nonconforming ("grandfathered") uses in the City's R-1 zone district because of the history as related above; and

Whereas, In March, 2006, the property was conveyed to Betsy Bowen Properties, LLC; and

Whereas, The premises have continuously operated as an arts and performance space from before 1971 to the date hereof;

Whereas, From 2004 to the present date the premises have also housed the Sweet Life Bakery in a portion of the building presently constructed on the premises, as an unpermitted nonconforming use; and

Whereas, The City wishes to permit the Sweet Life Bakery to continue to operate as a new, low-impact use or occupancy, subject to regulations as contained herein.

Now, therefore,

The City Council of the City of Grand Marais ordains:

Section 1. Nonconforming Uses permitted.

The nonconforming uses allowed for the following described premises:

Lots 9 and 10, Block 51, Village Plat of the Village (now City) of Grand Marais, according to the plat thereof on file and of record in the office of the Cook County Recorder.

shall be amended to include:

- A. Creative Arts, Studio, Rehearsal, and Performance Spaces; and
- B. Wholesale Dessert Bakery/Retail Special Order Bakery.

Section 2. Regulations and Conditions of the Wholesale Dessert Bakery/Retail Special Order Bakery:

- A. Only wholesale operations and special order retail operations shall be permitted, all for consumption off the premises.
- B. Noise levels shall be kept to a minimum so as not to be a nuisance to the residential neighborhood.
- C. No physical expansion of the building shall be permitted.
- D. The operator of the bakery shall at all times be licensed properly by the State of Minnesota.

Section 3. Effective Date. This ordinance shall be effective upon publication.

First Reading:

Date: October 31, 2007

Ayes:	Bolstad, Costello, Kennedy, Larsen, Lenz
Nays:	
Absent:	
Abstain	

Second Reading:

Date: November 15, 2007

Ayes:	Bolstad, Costello, Kennedy, Larsen, Lenz
Nays:	
Absent:	
Abstain	

Published: