

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2022-11**

**RESOLUTION OF DENIAL OF AN AMENDMENT TO THE CONDITIONAL USE
PERMIT FOR VICTORIA STATION BOARD STABLE AND INDOOR RIDING
ARENA AT 9250 DELLWOOD RD. N.**

WHEREAS, Sam Scott has applied for an Amendment to the Conditional Use Permit on the property located at 9250 Dellwood Road North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the subject property was granted a Conditional Use Permit (CUP) for the Victoria Station Board Stable and Indoor Riding Arena in 1993; and

WHEREAS, the original 1993 CUP was granted and recorded against approximately 55-acres, and the permit must be amended if any changes to the land area or uses are proposed; and

WHEREAS, the Applicant proposes to subdivide the 55-acre parcel and vacate approximately 17-acres of land from the 1993 CUP; and

WHEREAS, the Applicant proposes to Amend the 1993 CUP to accurately reflect the land area and to amend the necessary conditions to allow for the continuation of the Horse Boarding and Indoor Riding Arena operation; and

WHEREAS, a duly noticed Public Hearing took place on June 8, 2022; and

WHEREAS, on June 8, 2022 the Planning Commission recommended approval of the application to Amend the CUP subject to certain conditions; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and the Applicant’s request at regular City Council meetings which took place on June 28, 2022 and August 2, 2022.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby

deny the request of the Sam Scott for an Amended Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City’s Zoning Ordinance which provides that a Conditional Use Permit may be granted “if the applicant has proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- A wetland delineation of the parcel was not complete and therefore the number of grazable acres could not be determined, and therefore the number of permitted horses could not be appropriately established based on the current applicable ordinances.
- The request for Minor Subdivision of the subject property was denied on Jun 28, 2022 and therefore no new legal description of the parcels was created.
- The Applicant is engaged in continuing litigation with the City regarding the status of the Justen Trail roadway easement, including the rights to use and access the road established by the easement and the maintenance and management of the roadway.
- Access to the property, including that portion used for the horse boarding and riding arena, is provided by Justen Trail N., and maintenance of that access is critical to the continued operations.
- Given the continuing litigation, it cannot be determined that the permitted operations of the CUP will not adversely impact adjacent or adjoining properties given the status regarding the rights to use and access the road, and the undetermined maintenance responsibility associated with the roadway.

Adopted by the Grant City Council this 2nd day of August 2022.

Jeff Huber, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2022 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this ____ day of _____, 2022.

Kim Points
Clerk
City of Grant