

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2023-25**

**RESOLUTION DENYING AN AMENDED CONDITIONAL USE PERMIT FOR
11490 JULIANNE AVENUE NORTH TO CONSTRUCT AN ACCESSORY BUILDING
FOR PURPOSES OF A SMALL OFFICE, TRAINING ROOM, AND STORAGE AREA
TO SUPPORT THE HORSE BOARDING OPERATIONS
(IDYLWOOD EQUESTRIAN CENTER)**

WHEREAS, Jaime Benner the Owner and Operator of Idylwood Equestrian Center (“Applicant”) has submitted an application for an Amendment to the Conditional Use Permit to allow for the construction of an accessory building for a small office, training room, and storage area to support the existing horse boarding operations on the property located at 11490 Julianne Avenue North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the Applicant was granted a Conditional Use Permit (CUP) for a horse boarding operations with supplemental uses in 1997; and

WHEREAS, the Conditional Use Permit expressly states that any changes in the plans or construction of "any other facility not specifically permitted in the Permit shall require an Amended Conditional Use Permit"; and

WHEREAS, the proposed project to construct an Accessory Building for a small office, training room, sauna, and storage room contain uses that were not originally contemplated in the Permit; and

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on August 8, 2023; and

WHEREAS, on September 12, 2023 the Planning Commission recommended approval of the application subject to certain conditions; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and the Applicant’s request at a regular City Council meeting which took place on October 3, 2023.

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 Jaime Benner of Idylwood Equestrian Center 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:

- The Applicant’s initial submission labeled the architectural drawings as a Residence. Upon the Applicant’s resubmission the label was changed to office and rooms were re-labeled, but the architectural plans were otherwise unchanged from the residential A-frame design.
- The Applicant’s submitted narrative references that the building may be used, without a permit amendment, for efficiency apartments. The proposed accessory building includes interior walls and room separation which is not a studio apartment. Accessory dwelling units and living quarters in accessory buildings are not permitted uses in the City.
- The proposed Project includes uses that were not identified in the Conditional Use Permit, and the City Council has determined that the uses such as a yoga space and sauna are not part of the City’s definition of a horse boarding operation.
- **Commercial Use not consistent with current CUP.**
- **Submission of incomplete plans, ADA requirements, parking, etc.**
- **Applicant has not sustained its burden of proof per Ordinance No. ??**

Adopted by the Grant City Council this 3rd day of October, 2023.

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 _____, 2023 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 _____, 2023.

Kim Points
Clerk
City of Grant