

**City of Grant
City Council Agenda
April 1, 2025**

The regular monthly meeting of the Grant City Council will be called to order at 6:30 p.m. on Tuesday, April 1, 2025, in a teleconference format and in person at Town Hall for the purpose of conducting the business hereafter listed, and all accepted additions thereto.

1. CALL TO ORDER

PUBLIC INPUT

Citizen Comments – Individuals may address the City Council about any item not included on the regular agenda. The Mayor will recognize speakers to come to the podium. Speakers will state their name and address and limit their remarks to two (2) minutes with five (5) speakers maximum. Generally, the City Council will not take any official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.

- (1) _____
- (2) _____
- (3) _____
- (4) _____
- (5) _____

2. PLEDGE OF ALLEGIANCE

3. OATH OF OFFICE, GREG ANDERSON

4. APPROVAL OF REGULAR AGENDA

5. APPROVAL OF CONSENT AGENDA

A. March 2025 Bill List, \$94,595.86

B. Resolution No. 2025-06, Amended CUP Application, 7040 117th Street, Two Silo

6. STAFF AGENDA ITEMS

A. City Engineer, Brad Reifsteck (no action items)

B. City Planner, Jennifer Swanson

i. PUBLIC HEARING, Consideration of Resolution No. 2025-07, Request for Minor Subdivision, 11225 Julianne Ave N

ii. PUBLIC HEARING, Consideration of Variance, Minimum Lot Size, Minimum Buildable Area, Lot Width and Density, XXX 89th Street N

C. City Attorney, Nick Vivian (no action items)

6. NEW BUSINESS

A. Consideration of February 4, 2025 City Council Meeting Minutes

B. Consideration of 2025 Appointment List Revision

C. Consideration of Community Event

7. UNFINISHED BUSINESS

8. DISCUSSION ITEMS (no action taken)

A. Staff Updates (updates from Staff, no action taken)

B. City Council Reports/Future Agenda Items (no action taken)

9. COMMUNITY CALENDAR APRIL 2 THROUGH APRIL 30, 2025:

Mahtomedi Public Schools Board Meeting, Thursday, April 10th and April 24th, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, April 10th, Stillwater City Hall, 7:00 p.m.

Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.

10. ADJOURNMENT

Fund Name: All Funds

Date Range: 03/01/2025 To 03/31/2025

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
03/25/2025	Payroll Period Ending 03/31/2025	16684	March 25	N	Clerk Salary	100-41101-100-	\$ 4,546.01
	Total For Check	16684					\$ 4,546.01
03/25/2025	Payroll Period Ending 03/31/2025	16685	March 25 Medical	N	Accounting Services	100-41202-130-	\$ 1,000.55
	Total For Check	16685					\$ 1,000.55
03/25/2025	Waste Management	16686	Recycling -	N	Recycling	100-43011-384-	\$ 6,386.37
	Total For Check	16686					\$ 6,386.37
03/25/2025	LRS	16687	Portapot TownHall	N	Town Hall Porta Pot	100-43007-210-	\$ 159.00
	Total For Check	16687					\$ 159.00
03/25/2025	Eckberg Lammers	16688	Legal Services	N	Legal Fees - General	100-41204-304-	\$ 1,200.00
		16688			Legal Fees - Complaints	100-41205-304-	\$ 471.50
		16688			Legal Fees - Prosecutions	100-41206-304-	\$ 2,652.25
		16688			Escrow	100-49320-304-1032	\$ 125.00
	Total For Check	16688					\$ 4,448.75
03/25/2025	Woodchuck	16689	Tree removal ROW	N	Road Brushing	100-43114-220-	\$ 950.00
	Total For Check	16689					\$ 950.00
03/25/2025	LHB	16690	February Engineering	N	Engineering Fees - General	100-41203-300-	\$ 7,741.50
		16690			Grading Permit	100-43135-300-	\$ 166.00
		16690			Escrow	100-49320-300-1008	\$ 220.00
	Total For Check	16690					\$ 8,127.50
03/25/2025	Washington County Public Works	16691	invoice#228878- Oct/Dec traffic signal	N	Street Lights	100-43117-330-	\$ 103.92
	Total For Check	16691					\$ 103.92
03/25/2025	Pauszek Inc.	16692	March Assessor Billing	N	Assessing	100-41550-300-	\$ 2,300.00
	Total For Check	16692					\$ 2,300.00
03/25/2025	KEJ Enterprises	16693	Roads Supervisor/Fuel Surcharge	N	Roads Supervisor	100-43014-300-	\$ 14,162.50
		16693			Roads Fuel Surcharge	100-43015-300-	\$ 2,500.00
	Total For Check	16693					\$ 16,662.50
03/25/2025	CenturyLink	16694	City Phone	N	City Office Telephone	100-41309-321-	\$ 174.98

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
Total For Check		16694					\$ 174.98
03/25/2025	Kline Bros Excavating	16695	Road Maintenance	N	Grader Contractor	100-43101-224	\$ 1,207.50
		16695			Road Shouldering	100-43108-224	\$ 172.50
		16695			Road Brushing	100-43114-224	\$ 15,647.50
Total For Check		16695					\$ 17,027.50
03/25/2025	League of Minnesota Cities	16696	Minnesota Mayors Association	N	LMC Dues	100-41304-310	\$ 30.00
Total For Check		16696					\$ 30.00
03/25/2025	Washington County Transportation	16697	Inv#229262	N	Snow & Ice Removal	100-43113-210	\$ 3,888.13
Total For Check		16697					\$ 3,888.13
03/25/2025	LHB	16698	February Engineering	N	Engineering Fees - General	100-41203-300	\$ 2,940.00
		16698			Grading Permit	100-43135-300	\$ 415.00
Total For Check		16698					\$ 3,355.00
03/25/2025	League of MN Cities Insurance Trust	16699	Workman's Comp	N	Insurance	100-41302-360	\$ 118.00
Total For Check		16699					\$ 118.00
03/25/2025	Washington County Property Records	16700	2025 Property Tax	N	Town Hall Property Taxes	100-43008-510	\$ 5,882.00
Total For Check		16700					\$ 5,882.00
03/25/2025	Croix Valley Inspector	16701	Building Inspector	N	Building Inspection	100-42004-300	\$ 16,103.28
Total For Check		16701					\$ 16,103.28
03/25/2025	PERA	16702	PERA -March	N	Clerk PERA	100-41102-100-	\$ 399.56
		16702				100-41102-120-	\$ 461.03
Total For Check		16702					\$ 860.59
03/25/2025	ADobe	ADE16	Monthly - Auto Pay	N	Office Equipment	100-41314-210-	\$ 52.00
Total For Check		ADE16					\$ 52.00
03/25/2025	T-Mobile	CCEFT31	Road Cell - Auto Pay	N	Road Expenses - Other	100-43116-210-	\$ 20.00
Total For Check		CCEFT31					\$ 20.00
03/25/2025	IRS	EFT219	Medical	N	Clerk FICA/Medicare	100-41103-100-	\$ 99.45
		EFT219			Clerk Medicare	100-41105-100-	\$ 18.85
		EFT219			Federal Withholding	100-41107-100-	\$ 100.00
		EFT219			Social Security Expens	100-41109-100-	\$ 80.60

Fund Name: All Funds

Date Range: 03/01/2025 To 03/31/2025

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
Total For Check EFT219							\$ 298.90
03/25/2025	IRS	EFT220	Payroll	N	Clerk FICA/Medicare	100-41103-100-	\$ 470.24
		EFT220			Clerk Medicare	100-41105-100-	\$ 89.13
		EFT220			Federal Withholding	100-41107-100-	\$ 478.94
		EFT220			Social Security Expens	100-41109-100-	\$ 381.11
Total For Check EFT220							\$ 1,419.42
03/25/2025	Office Depot	FRCC-3-6-25	City Phone - CC	N	Office Equipment	100-41314-200-	\$ 92.11
Total For Check FRCC-3-6-25							\$ 92.11
03/25/2025	Comcast	TMEFT42	Town Hall W/ft - Auto Pay	N	Town Hall Supplies	100-43001-210-	\$ 186.99
Total For Check TMEFT42							\$ 186.99
03/25/2025	Xcel Energy	XcelEFT43	Utilities - Town Hall - Pole Barn - Auto	N	Town Hall Electricity	100-43004-381-	\$ 24.49
		XcelEFT43				100-43004-381-	\$ 365.51
		XcelEFT43			Well House Electricity	100-43010-381-	\$ 11.04
		XcelEFT43			Street Lights	100-43117-381-	\$ 1.32
Total For Check XcelEFT43							\$ 402.36
Total For Selected Checks							\$ 94,595.86

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2025-06**

**RESOLUTION DENYING AN AMENDED CONDITIONAL USE PERMIT FOR
7040 117TH STREET NORTH
(TWO SILO FARMHOUSE RESORT)**

WHEREAS, Keith Dehnert on behalf of the Two Silo Farmhouse Resort, LLC (“Applicant”) has submitted an application for an Amendment to the Conditional Use Permit to allow for increased occupancy, expansion of the parking lot, installation of an illuminated wall-mounted “WINERY” sign (after-the-fact), use of the east end concrete apron, and request to install an ambient surround sound system on the property located at 7040 117th Street North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the Applicant was granted a Conditional Use Permit (CUP) to operate the two Silo Farmhouse Resort on November 12, 2020; and

WHEREAS, the granted 2020 CUP states that any modifications or changes to the facilities onsite used as part of the operations shall require an amendment; and

WHEREAS, the Applicant was granted an Amendment to the 2020 CUP to construct a new 6,000 SF building to be used for winery operations on November 1, 2021; and

WHEREAS, the Applicant was found to be in violation of the existing CUP for the Two Silo business operation; and

WHEREAS, the City Council has considered the Applicant’s request at a duly noticed Public Hearing which took place on February 4, 2025; and

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 Two Silo Farmhouse Resort, LLC 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 “WINERY” wall sign was installed without a permit and in violation of the existing Conditional Use Permit for the Two Silo business operation.
- The illumination of the wall sign is out of character with the surrounding area and does not comply with the adopted goals and objectives of the 2040 Comprehensive Plan.
- The illuminated wall sign adversely impacts the surrounding neighborhood and adjacent residential uses.
- The illuminated wall sign could cause a distraction to drivers and may impact the general safety and welfare of travelers on the nearby road.
- The wall sign does not comply with the adopted zoning ordinance.
- Increasing occupancy is unreasonable given that the operator has been in violation of the current CUP conditions.
- Expansion of parking is unreasonable given that the operator has been in violation of the current CUP conditions.
- The overflow parking area is not an improved dustless surface and is not designed as a permanent parking lot for the business. As submitted, no details regarding the parking lot were included with the Application.
- Expanding the parking lot at this time is unnecessary since current site improvements support the current CUP occupancy loads.
- Use of the concrete apron or “crush pad” is unreasonable given that the operator has been in violation of the current CUP conditions.
- Installation of an ambient sound is unreasonable given that the operator has been in violation of the current CUP conditions.
- In similar past situations, the City has determined that a conditional use must be in good standing for a minimum of a year before additional flexibility or further intensification of use may be considered for amendment.

Adopted by the Grant City Council this 1st day of April, 2025.

Jeff Giefer, 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 _____, 2025 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 _____, 2025.

Kim Points
Clerk
City of Grant



STAFF REPORT

TO	City Council Kim Points, City Clerk Nick Vivian, City Attorney Brad Reifsteck, City Engineer	ADDRESS	11225 Julianne Avenue North Grant, MN 55082
FROM	Jennifer Haskamp, AICP, SHC Jenna Shoosmith, SHC	RE	Application for a Minor Subdivision (Lot Split) at 11225 Julianne Avenue North, Grant, MN 55082

INTRODUCTION

Michelle and Christopher Bond (“Applicants” and “Owners”) are requesting a Minor Subdivision (Lot Split) for the property located at 11225 Julianne Ave N. The 52.3-acre property will be divided into three (3) buildable lots ranging in size from 6 to 36-acres. The proposed Parcel B (6-acres) will contain the existing residential structure and the existing septic system that serves the property.

Public Hearing

A duly noticed public hearing has been published, and letters were sent to adjacent property owners within a ¼-mile (1,320 ft) of the property. The public hearing has been scheduled for the regular City Council meeting on April 1, 2025.

The following staff report summarizes the requested Minor Subdivision (Lot Split), existing conditions, draft findings, and conditions of approval.

APPLICATION SUMMARY

Applicant/Owner: Michelle and Christopher Bond	Location: 11225 Julianne Avenue North, Grant, MN 55082 PID: 0303021440002 Lot Size: 52.3-Acres Land Use: Agricultural Zoning: Agricultural Large Scale (A-1)
Request: The Applicant is requesting a Minor Subdivision (Lot Split). The existing 52.3-acre property will be divided into three (3) buildable parcels ranging in size from 6 to 36-acres.	

REVIEW CRITERIA

The City’s subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. Section 32-246 governs dimensional standards and other zoning considerations. The following analysis provides an overview of the Minor Subdivision request and any relevant established standards.



EXISTING SITE CONDITIONS

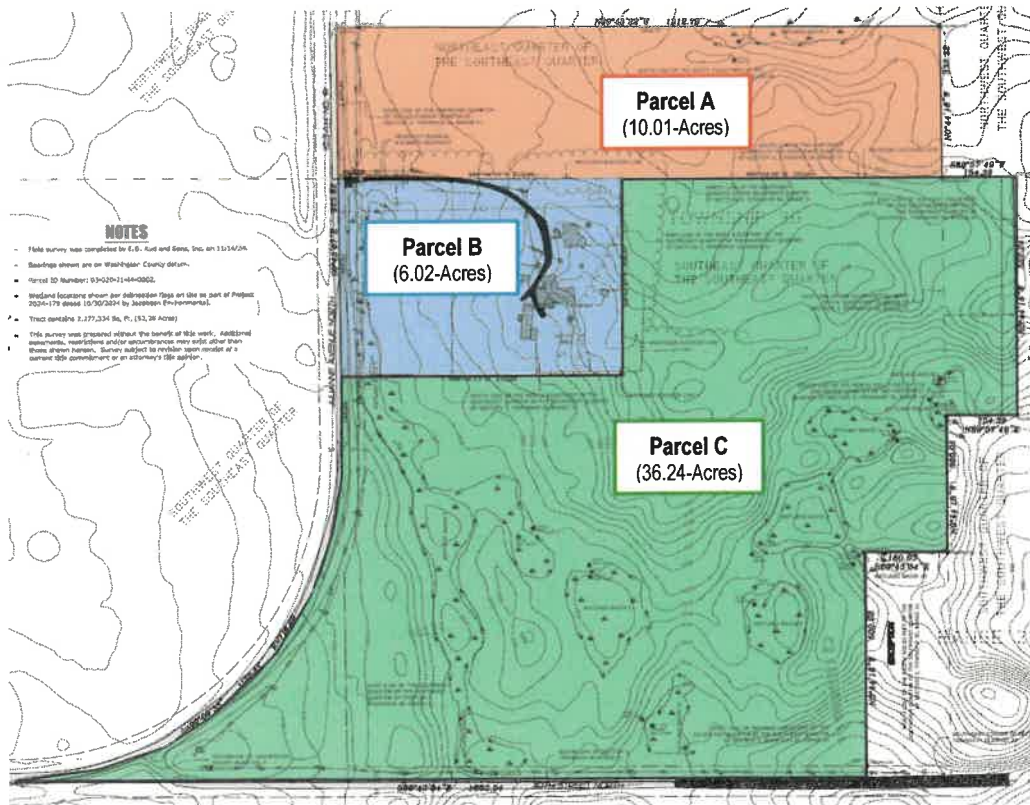
The subject property is located at 11225 Julianne Avenue North. The 52.3-acre site is located at the northeasterly corner of Julianne Avenue North (CSAH 9) and 110th Street North. It is surrounded by rural residential and agricultural uses and is zoned A-1 (Agricultural Large Scale). The site contains several wetlands, primarily on the southern half of the property.

There is a residential homestead on the property, along with several accessory structures that support the current agricultural use. The farmstead is served by an existing septic system located south of the accessory structures. The site is accessible via an unpaved driveway that connects to Julianne Avenue North.



Figure 1. Existing Site Conditions

The proposed Minor Subdivision (lot split) will divide the property into three (3) buildable lots, which are identified in Figure 2 below. The proposed Parcel B (blue) will contain the existing home, accessory structures, and septic system. Parcels A (orange) and C (green) will be vacant.





COMPREHENSIVE PLAN REVIEW

The site is guided Rural Residential/Ag (RR/AG) in the City's adopted Comprehensive Plan. The proposed Minor Subdivision will not change the use of the site, nor will it expand the amount of land in the City designated for rural residential/agricultural uses. Lots guided RR/AG are encouraged to develop at no more than 4 dwelling units per 40 acres. No development is proposed at this time or as part of this land use application, so the proposed Minor Subdivision will not impact the overall density of the area.

ZONING/SITE REVIEW

The Applicant submitted a survey exhibit as part of their application (Attachment A). The proposed configuration will divide the existing 52.3-acre property into three (3) buildable lots ranging in size from 6 to 36-acres. A summary of the proposed configuration and applicable dimensional standards is provided in Table 1 below:

Table 1. Lot dimensions

Dimensional Standards (Section 32-246)		Parcel A	Parcel B	Parcel C[Js1]
Minimum Lot Area per dwelling unit (acres)	5	10.01	6.02	36.24
Minimum Lot Depth (feet)	300	1,313	610	702
Minimum Lot Width (feet)	300	332	485	880
Frontage on an Improved Public Road	300	332	485	1,300
Setbacks				
Front Yard	65	N/A, no structure proposed	480	N/A, no structure proposed
Side Yard	65		100	
Rear Yard	50		77	
Accessory Building Standards (Section 32-313)		No structures proposed	Max. Combined 2,500 SF, no more than 3 buildings	No structures proposed

As proposed, the Minor Subdivision will divide the existing property into three (3) parcels, all of which meet or exceed the minimum lot dimension standards established in Section 32-246. Parcels A and C will be vacant, and Parcel B will contain the existing homestead, the supporting septic system, and all accessory structures. As shown on the minor subdivision exhibit, there are two large accessory structures totaling approximately 5,000 square feet and several smaller sheds on the property. Given the proposed subdivision, the resulting lot is approximately 6 acres and the requisite number of accessory buildings on Parcel B must be removed and demolished to comply with the standards established in Section 32-313. ***Staff recommends including a condition that a demolition plan must be submitted to show which structures will be removed to bring the lot into compliance with the maximum accessory building standards prior to recording the deeds. The demolition plan must be accompanied by a schedule for removal.***

A portion of the existing driveway will be split between Parcels A and B and a single access/curb cut connecting to Julianne Ave N is proposed. Section 32-346(g), permits shared access but prohibits shared driveways. As shown the configuration will allow for a shared access onto the County Road, and the future driveway serving Parcel A must be separated from the existing driveway after the shared access easement area. This is a typical condition of the County when accessing a County Road to minimize the number of access points onto the County Road. It should be noted, that any new driveway or access for any of the lots must obtain a driveway/access permit from Washington County prior to a building permit being issued.



As previously noted, there are several wetlands located on the property, with a small wetland area along the northern border of Parcel A denoted, and a cluster of wetland are shown on proposed Parcel C. Both Parcel A and Parcel B exceed 10-acres and have more than 1.0 acres of upland area outside of the wetlands and setback areas. As such, the septic tests were not submitted, however, there appears to be adequate area to site a primary and secondary drainfield on each lot. At this time, it is the staff's understanding that no improvements are contemplated on Parcel C in the immediate future. ***Staff recommends including a condition that no determination has been made regarding the buildability of Parcel A or C, and that a septic permit must be obtained from Washington County prior to the issuance of any building permits for the parcels.***

ENGINEERING STANDARDS

The City Engineer is reviewing the plans. A verbal update will be provided at the Council meeting if he has any additional comments. Since no development is proposed at this time, no site specific review is required.

OTHER AGENCY REVIEW

Staff recommends including a condition that the Applicant is responsible for filing the lot/parcel combination deeds with Washington County Recorder consistent with the exhibit dated 1/14/2025 showing the new lot configuration. Further, it should be noted that future development of the lots may be subject to permits and review by Washington County for any access permits, Washington County Environmental Services and the watershed district.

ACTION REQUESTED

Staff has prepared a draft resolution of approval with conditions which is attached for your review and consideration.

Attachments

Attachment A: Minor Subdivision exhibit dated 1/14/2025

Attachment B: Minor Subdivision Application

Attachment C: Draft Resolution



City of Grant
P.O. Box 577
Willernie, MN 55090
www.cityofgrant.us

Fax: 651.429.1998
Email: clerk@cityofgrant.com

Application Date:	2/12/2025
Fee: \$500	Escrow: \$4,000

MINOR SUBDIVISION

Phone: 651.426.3383

A minor subdivision is any subdivision containing not more than two lots fronting on an existing street, not involving any new street or road, the extension of municipal facilities, or the creation of any public improvements. Minor Subdivisions include lot combinations, lot rearrangements, and exchange of lands.

PARCEL IDENTIFICATION NO (PIN): 0303021440002		LOT SIZE: 52.28 Acres
PROJECT ADDRESS: 11225 Julianne Ave N	OWNER: Name: Christopher & Michele Bond Address: 656 Lincoln Ave City, State, Zip: St. Paul, MN 55105 Phone: 612-669-3360 Email: christopherbond@comcast.net	APPLICANT (If different from Owner): Name: Address: City, State, Zip: Phone: Email:
BRIEF DESCRIPTION OF REQUEST: Sub-divide 2 lots (10acre and 6acre) to be sold privately. Would retain the remaining 36 acres for ourselves. We currently own the 20.24 acres directly to the east of the subject property as well.		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code sections for a detailed description of required submittal documents, and subsequent process. 1. Chapter 30; Section 30-9		

Required Signatures

*** Note: All parties with a fee interest in the real estate must sign this application before the City will review for completion! ***

Applicant Fee Title Property Owner (If different from Applicant)

Name: Christopher & Michele Bond

Address: 656 Lincoln Ave

City, State, Zip: Phone: St. Paul, MN 55105

Cell Phone: 612-669-3360

Email: christopherbond@comcast.net

Signature: 

Date: 2/5/2025

Name:

(Please print) (Please print) Address:

City, State, Zip:

Phone:

Cell Phone:

Email:

Signature: 

Date: 2/5/2025

Checklist

Please review the attached checklist. Completeness depends on whether or not the applicable checklist items are fulfilled and submitted with your application.

Review Deadline and Timeline

All applications must be received by the deadlines as posted on the City's website. Failure to submit by the date shown may result in a delay in the scheduling of the application for public hearing. Meeting the deadline does not guarantee that an application will be heard at the next meeting. To improve likelihood of appearing on an agenda, it is recommended that applications be submitted earlier than deadline.

According to Minnesota State Statute 462.358 a Minor Subdivision Application has a Statutory review period of 120 days. During the review period the City has the ability to request additional information to assist in its review, and such request shall not impact the review timeline once an application has been deemed complete.

Review and Recommendation by the Planning Commission. The Planning Commission shall consider oral or written statements from the Applicant, the public, City Staff, or its own members. It may question the Applicant and may recommend approval, disapproval, or table by motion the application. The Planning Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

Review and Decision by the City Council. The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application for minor subdivision.

Application for Planning Consideration Fee Statement

(Please read carefully and understand your responsibilities associated with this land use application)

The City of Grant has set forth a fee schedule by City Ordinance as posted on the City's website. The City of Grant often utilizes consulting firms to assist in the review of projects. The consultant and city rates are available upon request. By signing this form, the Applicant accepts sole responsibility for any and all fees associated with the land use application from the plan review stage; the construction monitoring stage; and all the way to the release of any financial guarantees for an approved project. In the event the Applicant fails to make payment of all fees associated with the project, the City of Grant will assess any unpaid or delinquent fees related to this application or project against the subject property. If a project is denied by the City Council or withdrawn by the Applicant, the fees associated for the project until such denial or withdrawal, remain the Applicant's responsibility.

I/WE UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant Fee Title Property Owner

(if different from the Applicant)

Signature Signature



Printed Name Printed Name

Christopher Bond Michele Bond

Date Date

2/5/2025 2/5/2025

MINOR SUBDIVISION

City of Grant, Minnesota Updated May 2021 Page 2 of 3

** For Applicant's use and records

Checklist:

Minor Subdivision Permit

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City.

COPIES: One (1) Electronic copy of full submission; Two (2) 11x17 half scale scalable hard copy plan sets.

Site Plan: Technical drawing demonstrating existing conditions and proposed changes.

All plans must be to-scale, scalable, and include a north arrow.

- Name, address, phone number for owner, developer, surveyor, engineer
- Streets within and adjacent to the parcel(s) including driveway access points
- Proposed lot sizes (with dimensions) indicating setbacks for newly created lots
- Buildable area with acres and square footage identified
- Soil tests for the installation of an on-site septic system
- Septic system and well location
- Building locations and dimensions with setbacks
- Name of subdivision with lot and block numbers of property, if platted

Existing Conditions:

- Aerial
- Wetland delineation (if applicable)
- Buildable area
- Topographic contours at 2-foot intervals, and bluff line (if applicable)
- Waterbodies, Ordinary High Water Level, and 100 year flood elevation

Landscape Plan (if applicable): All plans must be to-scale, scalable, and include a north arrow.

- Landscape plan identifying species and size of trees and shrubs
- Screening plan

A certificate of survey, by a registered land surveyor for each parcel will be required. The survey must show newly created lots and the original lot, limits of any wetland, one acre of buildable area, and elevation of the building site above any lake, stream, wetland, etc.

Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or other that may have authority over your property for approvals and necessary permits.

Minor Subdivision submittal form completed and signed by all necessary parties.

Paid Application Fee: \$400

Paid Escrow*: \$4,000 *Any remaining funds, after expenses, are returned to the Applicant. Expenses incurred over \$4,000 will be billed to the Applicant.

Materials that may be required upon request:

Full scale plans at a scale not smaller than 1"=100'

Stormwater plans. Stormwater plans may be requested depending on the proposal of the Minor Subdivision.

Wetland Delineation. If the proposed minor subdivision is near a potential wetland boundary or setback, delineation may be required to fully evaluate and approve, or deny, the subdivision.

CHRIS BOND
MICHELE R BOND
656 LINCOLN AVE
SAINT PAUL, MN 55105-3530

6661

17-1/910 12116

2/5/2008
Date

\$ 500.⁰⁰
Dollars

Pay to the
Order of

City of Grant

Five Hundred and XX/100

Dollars

Photo
Save
Receipt
Code on back

WELLS
FARGO
Wells Fargo Bank N.A.
wellsfargo.com

For application fee

[Signature]

⑆091000019⑆ 29597103731⑆ 06661

Re: 11225 Julianne Ave Lot Split

To Whom It May Concern:

Michele and I recently built a house at 9980 110th Street N. where we intend to live in our retirement. We purchased the 52 acres at 11225 Julianne to provide a privacy buffer and to hold as a long-term family investment. Perhaps one of our children will choose to build a house on the property down the line. It is beautiful land with lots of wetland areas and wildlife.

We intend to split off the 10 acre portion of farmland which sticks out on the North end and the adjacent 5+ acre portion on the NW corner which is surrounded by mature trees and was the original farm homestead. At some point, possibly soon, we intend to sell those 2 parcels and hold on to the remaining 36 acres at the corner of Julianne and 110th.

I understand that it may be necessary that the 10 acre and 5+ acre parcels share an access off Julianne and that would be fine with us.

Thank you,

Chris Bond

612-669-3360

Christopherbond@comcast.net

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2025-07**

**RESOLUTION APPROVING THE REQUEST FOR MINOR SUBDIVISION
(LOT SPLIT) AT
11225 JULIANNE AVENUE NORTH, GRANT, MN 55082**

WHEREAS, Michelle and Christopher Bond (“Applicants” and “Owners”) submitted an application for a Minor Subdivision (Lot Split) of the property located at 11225 Julianne Avenue North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the intent of the proposed Minor Subdivision (Lot Split) is to divide the existing property into three (3) separate lots as shown on the Minor Subdivision survey exhibit dated January 14, 2025; and

WHEREAS, the proposed Parcel A and C are vacant and are approximately 10.01-acres 36.24-acres in size, respectively; and

WHEREAS, the proposed Parcel B is approximately 6.02-acres and contains the existing homestead, septic system, and accessory structures; and

WHEREAS, a duly noticed Public Hearing was held on April 1, 2025; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Michelle and Christopher Bond for a Minor Subdivision as described in Chapter 30, based upon the following findings pursuant to Section 30-4 of the City’s Subdivision Ordinance. The City Council’s Findings relating to the standards are as follows:

- The proposed Minor Subdivision (Lot Split) will divide the existing property into three (3) lots that meet or exceed the City’s established minimum lot dimension standards.
- The proposed Minor Subdivision (Lot Split) conforms to the City’s Comprehensive Plan.
- The proposed Minor Subdivision will not change the use of the site, nor will it expand the amount of land in the City with rural residential/agricultural uses.

FURTHER BE IT RESOLVED, that the following conditions of approval of the Minor Subdivision (Lot Split) shall be met:

- The Applicant must submit a demolition plan to identify the removal of an appropriate number and square footage of accessory buildings to comply with the standards

established in Section 32-313 Accessory Buildings, which permit a maximum combined square footage of 2,500 square feet and no more than 3 buildings.

- The Applicant must include a timeline for demolition of the accessory buildings to bring Parcel B into compliance with the ordinance.
- If the demolition is not planned prior to the recording of the division, then a Letter of Credit (LOC) or other form acceptable to the City, shall be submitted prior to any recording to ensure that the accessory buildings are removed.
- The Applicant must file the new deeds for the lot/parcel combination at the Washington County Recorder consistent with the lot configuration shown in the Exhibit dated 1/14/2025.
- Any future development or redevelopment of Parcels A, B, or C shall be subject to the rules and regulations related to the applicable zoning and subdivision ordinances in effect at time of application.

Adopted by the Grant City Council this 1st day of April, 2025

Jeff Giefer, 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 _____, 2025 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 _____, 2025.

Kim Points
Clerk
City of Grant



STAFF REPORT

TO	City Council Kim Points, City Clerk Nick Vivian, City Attorney Brad Reifsteck, City Engineer	ADDRESS	XXX 89th Street North Grant, MN 55115
FROM	Jennifer Haskamp, AICP, SHC Jenna Shoosmith, SHC	RE	Variance from minimum lot size, minimum buildable area, minimum lot width, and density standards at XXX 89th Street North, Grant, MN 55115

INTRODUCTION

Daniel Hillukka (“Applicant”) is requesting a variance from the minimum lot size, minimum buildable area, minimum lot width and density requirements for the property located at XXX 89th Street North in Grant, MN (PID 2103021220010) to develop the lot for single-family residential use. The Applicant has a purchase agreement for the subject property with the current owner Bertha and James Filipkowski (“Owners”).

Background

In 2024 the Applicant submitted a land use application to request background analysis of the subject lot to determine if the lot was buildable for a single-family home in its current configuration. Staff performed the review and research using the City’s records and Washington County’s online RECORDEREASE recording database (SHC Letter dated April 19, 2024 is provided in the Attachments for your reference). As documented in SHC’s correspondence, no property transfers or deeds were available in the online database and it was unclear how, when or for what purpose the lot in question was created.

As described in subsequent sections of this report, the lot has been confirmed to be created prior to the adoption of the current minimum lot size standards; however, that is only the first part of the criterion. While its creation predates the adoption of the ordinance, the second part of the criterion establishes that even if a lot was created prior to the adoption of the ordinance, it must still meet a minimum of 2.5 acres to qualify as an exception to be deemed buildable. The existing lot in question is 1.1 acres and does not meet the minimum lot size exception standards established within the ordinance. Since the lot does not meet the minimum lot size exception a variance from the applicable standards must be obtained to be deemed buildable.

Public Hearing

A duly noticed public hearing has been published, and letters were sent to adjacent property owners within a ¼-mile (1,320 ft) of the property. The public hearing has been scheduled for the regular City Council meeting on April 1, 2025.

The following staff report summarizes the requested variance, existing conditions, and variance analysis.



PROJECT SUMMARY

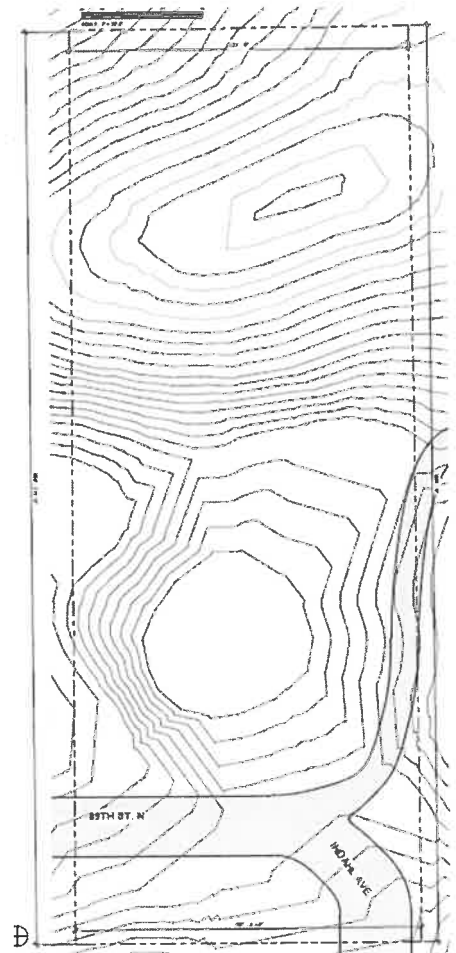
Applicant: Daniel Hilukka Owner: Bertha and James Filipkowski	Lot Size: 1.1 Acres Location: XXX 89th Street North, Grant, MN 55115 PID: 2103021220010 Guided Land Use: Rural Residential/Ag (RR/AG) Zoning: Agricultural Small Scale (A-2)
Request: The Applicant is requesting a variance from the minimum lot size, minimum buildable area, minimum lot width and density requirements to develop the lot for single family uses.	

EXISTING SITE CONDITIONS + BACKGROUND

The subject property is approximately 1.1-acres and is located north of 89th St N before the road curves south and becomes Indahl Ave (See Figure 1). The lot is surrounded by rural residential/agricultural uses and is zoned Agricultural Small Scale (A-2). The lot is currently vacant and has never been developed or improved. There is a recorded access easement agreement between the subject property and the adjacent property (8247 89th Street North) to secure the use of a driveway across the southeast corner of the property.

The lot has rolling topography and the 89th St. N., road right-of-way easement runs along the south end of the lot. The existing lot configuration is approximately 135' wide by 364' deep. There are no known wetlands on the subject property.

The Applicant has submitted a copy of the Deed for the property that shows the property transfer in 1971 from Glenn and Mable Tubbs to James and Berth Phillipowski. The Deed describes the 1.1. acre property transferred for "the sum of One Dollar (\$1.00) and other good and valuable consideration..." The Phillipowski's are the current owners of the property and have never developed the lot despite owning it since 1971. The Deed demonstrates the transfer of the property for a nominal fee, however, it does not necessarily describe the purpose or intent of the transfer as a buildable lot and there are no available records regarding how or who approved the subdivision.



ZONING/SITE REVIEW

The Applicant submitted a site plan exhibit as part of their application (Attachment B). Dimensional requirements are established in Chapter 32, Section 246 of the City's Code. Additionally, the City Code establishes a maximum density of 4 Dwelling Units per 40 Acres. For purposes of the density calculation the quarter-quarter section is used to determine whether density remains within an area. There are currently 9 lots



within the quarter-quarter section, of which 7 single-family homes are constructed, which exceeds the maximum density permitted. The proposed project and the variance requests from the minimum dimensional standards are summarized below:

Dimensional Standards (Section 32-246)		Proposed	Variance
Minimum Lot Area per dwelling unit	5 Ac.	1.1 Ac.	3.9 Ac.
Minimum Lot Depth (feet)	300'	364'	-
Minimum Lot Width (feet)	300'	135'	165
Frontage on an Improved Public Road	300'	135'	165
Setbacks			
Front Yard	65'	128'	-
Side Yard	20'	20'	-
Rear Yard	50'	105'	-
Maximum Height (feet)	35'	13'	-
Additional Standards			
Minimum Buildable Area	43,560 SF	~25,530 SF	~18,030 SF
Maximum Floor Ratio	30%	29%	-
Parking Surfaces or Structures of any type	50%	7.8%	-
Minimum Floor Area Per Dwelling	1,000 SF	4,050 SF	-

As shown on the Applicant's Site Plan, a new residential structure can be placed and sited to meet all required yard setbacks. The Applicant has indicated that Washington County has approved the septic system design as shown, however only one drainfield location is identified and typically a primary and alternate drainfield location are required. Correspondence or documentation of the septic design was not submitted, and staff would recommend that any approval must be conditioned on the Applicant providing evidence that the design of the system as shown complies with the County's standards.

While certain setback and dimensional standards are met, the existing lot exceeds the maximum density requirements and does not meet the minimum dimensional requirements for lot area, buildable area, and lot width.

Section 32-246(b) establishes exceptions to the minimum dimensional requirements. It states the following:

(1) Existing Lot defined. For the purpose of this article, the term "existing lot" means a lot or parcel of land which was of record as a separate lot or parcel in the Office of the County Recorder or Registrar of titles on or before the date of adoption of the ordinance from which this chapter is derived.

(2) Existing Lot of Record Exemptions. Any such lot or parcel created in accordance with the city subdivision regulations in effect at the time that such Lot was created that is at least 2.5 acres in size, shall be exempt from the requirements of subsection (3), pertaining to acres, lot width, lot depth and lot frontage and shall be considered buildable if the lot or parcel can comply with the remaining requirements of this section and meet the minimum setback requirements as stated within Section 32-246 (a)

(3) Undersized lots. If in a group of two or more contiguous lots or parcels of land owned or controlled by the same person, any individual lot or parcel does not meet the full width, depth, frontage or area requirements of this article, such individual lot or parcel cannot be considered as a separate parcel of land for purposes of sale or development,



but must be combined with adjacent lots or parcels under the same ownership so that the combination of lots or parcels will equal one or more parcels of land each meeting the full lot width and area requirements of this article.

Per the Applicant's narrative and the supplied documentation, and as previously noted the subject property was recorded with Washington County in 1971, prior to the adoption of the current ordinance, and therefore meets the code's definition as an Existing Lot.

However, the subject lot does not meet the exception requirements established in Sections 32-246(b.2-3). The subject property is less than 2.5 acres in size and therefore cannot be considered a buildable lot because it does not meet the minimum exception and dimensional requirements as stated within Section 32-246(a). Furthermore, the subject property is not in a group of two or more contiguous lots or parcels of land owned or controlled by the same individual and therefore cannot meet the 2.5 acre minimum required to achieve the exception.

Staff has concluded that the subject lot does not qualify for the stated exceptions to be determined as buildable and therefore variances from the applicable standards are required.

REVIEW CRITERIA

City Code Sections 32-59 and 32-60 establish the criteria to review and approve variance requests. When evaluating a variance request, the applicant must demonstrate that "1) the proposed use of the property... in question cannot be established under the conditions allowed by this chapter and no other reasonable alternate use exists; 2) the plight of the landowner must be due to physical conditions unique to the land ... and are not applicable to other lands ... in the same zoning district; and 3) the unique conditions of the site cannot be caused or accepted by the landowner..." The Applicant's narrative is provided in Attachment B and describes their reasons for the variance request. The following analysis is provided in response to each criterion:

1) Proposed Use of the Property cannot be established under the conditions allowed by this chapter and no other reasonable use exists...

The proposed development of the lot for a single-family residential structure cannot be established consistent with the ordinance dimensional requirements. As stated, the subject lot is approximately 1.1 gross acres and contains approximately 25,530 SF of buildable area which does not meet the minimum dimensional requirements established in Chapter 32, Section 246 of the City's Code. Based on the existing conditions and configuration, the subject property cannot be considered buildable, and the proposed use is not permitted. However, the lot is zoned and guided for rural residential uses and therefore it is reasonable to consider development of the lot for single-family uses provided that all other requirements can be met (standards such as proper area for individual septic system, well, etc.)

Per the Applicant's narrative and the supplied documentation, the subject property was recorded with Washington County in 1971, prior to the adoption of the current ordinance. The Applicant also provided an excerpt from the property abstract indicating some reference to a Warranty Deed from 1966, however no legal descriptions or additional information was provided to establish that the lot in its configuration was the subject of the referenced excerpt within the abstract. Previous land use and zoning regulations from the 1960s permitted lot sizes smaller than the current 5.0 acre established



minimum, however, beginning in 1968 Washington County's Zoning Ordinance (which was the regulatory zoning authority for the Township) required a minimum of 2.25 acres per lot. Since the excerpt from the abstract is unclear regarding the property description and it appears that a transfer did not take place, for purposes of this analysis the Deed was used to determine the date of its creation which was 1971. The 1971 Deed transfer occurred after the County adopted the 1968 ordinance, so it is unclear how or for what purpose the lot was created.

As previously noted, the property meets the threshold to be considered an existing lot of record; however, there is no evidence to suggest that a variance from the 1968 minimum lot size was granted or that the lot was created for the purpose of constructing a single-family home.

The City's adopted 2040 *Comprehensive Plan* identifies goals and strategies pertaining to land use and housing. The following goals are relevant to the proposed project:

Support the City's predominantly rural residential uses through appropriate land uses as defined within this Plan.

Continue to enforce the City's density requirements to maintain a rural residential development pattern.

While the A-2 zoning district permits single-family residential uses, the subject property does not meet the dimensional requirements for the district. Furthermore, the Rural Residential/Agricultural (RR/AG) land use designation establishes a density of 4-dwelling units per every 40-acres. The surrounding properties are currently developed with single-family structures. The proposed project would increase the existing density to approximately 8 dwelling units per 40-acres, exceeding the density maximum established by the Comprehensive Plan.

2) Plight of the Landowner must be due to unique physical conditions of the land, and are not applicable to other lands...

Through GIS analysis, Staff identified approximately six (6) unplatted parcels in the City that do not meet the minimum lot size requirement and are not in a group of two or more contiguous lots or parcels of land owned or controlled by the same owner. The physical condition of the subject property is unique in that less than 0.2% of all existing parcels in the City are similarly situated, and the subject parcel has been owned by the same owner since 1971. There are also no other properties in the immediate area that are less than 5-acres and are independently owned.

Since the adoption of the current zoning ordinance, landowners with similarly sized substandard lots have combined their parcels to meet the minimum acreage requirement. Neither the current Owners of the subject property, nor the Applicant, have common ownership over any of the adjacent parcels and therefore no combinations of land can be made to increase the size of the lot to meet the minimum dimensional requirements.

3) Unique conditions cannot be caused by the Owner



Per the Applicant's narrative and the submitted Deed, the current Owners acquired the subject property in 1971. It is unclear if the lot was created prior to the adoption of the 1968 ordinance that required a minimum of 2.25 acres, but if the lot was created after the 2.25-acre minimum lot size was established then it must have been created either 1) for a purpose other than single-family residential development; or 2) variance from the standard would have been obtained. Based on the information submitted it is unclear how or for what purpose the lot was created, and it is unclear if the Fillipowski's were involved in the lot creation or not since they have owned it since 1971. Therefore, without supporting evidence, it is not possible to determine whether the Owners caused the unique conditions that now exist or if they simply purchased the lot in its current configuration.

Essential Character of the Neighborhood/Locale

The subject property is bordered by an agricultural use to the north and single-family residential uses to the east, south, and west. Developing the subject property with a residential use is consistent with the existing character of the neighborhood. However, the neighboring properties all meet or exceed the current lot dimension requirements. As stated, they were also developed in the 1960s, and the lot sizes exceed the minimum 2.25 acres that was in place at the time of their creation. While the surrounding neighborhood is generally residential in character, the proposed use of the subject property differs from the lot size pattern that surrounds the property.

Economic Considerations

City Code Sections 32-59 and 32-60 establish that economic considerations alone cannot constitute a hardship. As stated, the subject property is not buildable because it does not meet the minimum lot dimension requirements. The physical constraints of the subject property limit the feasible uses. While it is reasonable for landowners to utilize their property, the variance request is related to economic considerations. If it is determined that the other variance criteria are met, the variance will not be solely motivated by economic considerations alone.

ENGINEERING STANDARDS

The City Engineer is reviewing the submitted materials. Staff will provide a verbal update at the City Council meeting if any additional concerns are identified.

OTHER AGENCY REVIEW

Per the Applicant's narrative, the Rice Creek Watershed District (RCWD) was contacted by the Applicant. The RCWD indicated that they would not require a permit for the construction of the single-family home.

As previously noted, the Applicant contacted Washington County to review the proposed septic system. The County reviewed the septic design and approved it with no objections. If the variance is granted, staff recommends including a condition that documentation from Washington County be provided to confirm that the septic system complies with their standard since only one large drainfield is shown on the site plan.

ACTION REQUESTED



Staff is requesting City Council discussion regarding the proposed variances. The City Council may:

- Deny the requested variances with findings and direct staff to prepare a resolution.
- Approve the requested variances with findings and conditions and direct staff to prepare a resolution.
- Table the application and request additional information from the Applicant.

ATTACHMENTS

- Application and Applicant's Narrative (Including Image of Abstract)
- 1971 Deed
- SHC Staff Correspondence dated April 19, 2024



April 19, 2024

Daniel Hillukka
165 Hickory Street
Mahtomedi, MN 55115

RE: Land Use Inquiry for property located at XXX, 89th Street N., Grant, MN 55115
(PID 2103021220010)

Dear Mr. Hillukka,

In response to your inquiry dated March 14, 2024 please find the following information regarding the Subject property.

Based on your inquiry I understand your questions to be the following:

1. Is the subject property buildable for a single-family rural residential use?
2. Based on your analysis, there are two other lots that are less than 2.5 acres that were improved after 1975. What were the conditions that allowed for the lots to be improved with a single-family residential structure?

The following background summary is provided, and a response for each question is identified:

XXX 89th Street N. (PID 2103021220010), Existing Conditions and Background

Per Washington County GIS records, the subject property is approximately 1.1 gross acres. Based on the available aeriels, the existing roadway surface of 89th St N., runs east-west through the south end of the property and is fully constructed on the subject parcel. Based on available data it appears that there is approximately 39,204 SF (0.9 Ac) of net land area excluding the roadway.

The County records indicate that the subject parcel is not part of a subdivision plat and therefore it is unknown when the subject parcel was created in its current configuration. However, adjacent residential structures were built as early as the late 1960s and therefore it is likely that the lot was created around the same time. This is consistent with the previous land use and zoning regulations of the 1960s which permitted lot sizes smaller than the current 5.0 acre established minimum.

cc. Kim Points, City Administrator/Clerk
Nick Vivian, City Attorney



A search of the online Washington County Property Records goes back to the 1980s. The only recorded document for the subject property in that time is the recorded access easement agreement between the subject property and the adjacent property to the east to secure the access and use of 89th Street North across the property (see recorded easement attached).

Since no other documents have been recorded since the 1980s (such as a mortgage release, deed transfer, etc.), it is assumed that the parcel in its current ownership and configuration pre-dates the online records and that the deed for the subject property is on file with the Washington County Property Records historical records. Deeds of adjacent properties were also reviewed as part of the background investigation, and the legal descriptions of all documents reviewed do not include the subject property.

Question 1: Is the Subject Property buildable?

Based on the available information and data the subject property in its current configuration and ownership pre-dates the adoption of the current ordinance. Further, it likely pre-dates the adoption of the Township's (at the time) first comprehensive plan as required by the Metropolitan Council. This is evidenced by the lot size of 1.1 acres, which was determined to be inadequate to safely and adequately support an individual private septic system in the late 1960s early 1970s, which became the impetus for increasing the minimum lot sizes in the City.

Section 32-246 subsection (b) establishes the criteria for establishing whether a lot is buildable and/or of record. The following analysis is provided:

(b)(2) states, "Existing Lot of Record exemptions. Any such lot or parcel created in accordance with the city subdivision regulations in effect at the time that such Lot was created that is at least 2.5 acres in size, shall be exempt from the requirements of subsection (3), pertaining to area, lot width, lot depth and lot frontage and shall be considered buildable if the lot or parcel can comply with the remaining requirements of this section and meet the minimum setback requirements as stated within Section 32-246(a); and

(b)(3) states, "Undersized lots. If in a group of two or more contiguous lots or parcels of land owned or controlled by the same person, any individual lot or parcel that does not meet the full width, depth, frontage or area requirements of this article, such individual lot or parcel cannot be considered as a separate parcel of land for purposes of sale or development, but must be combined with adjacent lots or parcels under the same ownership..."

The subject property is 1.1 acres and does not meet the exemption stated in subsection (b)(2) which requires 2.5 acres in order to be considered a legally non-conforming buildable lot. Likewise, subsection (b)(3) does not apply because the ownership of adjacent parcels is not the same. As a result, the lot must be evaluated on its own and the dimensional standards for lot size, frontage, setbacks, etc., must comply with the current ordinance standards unless a variance from the required standards is granted.

Based on the existing conditions and configuration, the subject lot does not meet the criteria established in the ordinance, and therefore cannot be considered buildable. Further, the lot does not meet any of the dimensional



requirements established within the adopted ordinance, including but not limited to, lot size, frontage, or 1.0 acres of buildable area outside of ROW and setback areas.

In conclusion, the lot is not buildable in its current configuration.

Question 2: There appears to be two (2) other lots in the City that contain less than 2.5 acres that were improved with single-family structures after 1975 – what were the conditions that allowed for the structures to be built?

It is unknown how the two referenced lots were approved for development and there are no records on file regarding the properties. However, it should be noted that both properties were improved prior to the incorporation of Grant as a City and the County was responsible for such permitting approvals when Grant was a Township. It is possible that the two referenced properties were either developed and/or improved prior to the current structures which changes the analysis, and/or that variances were obtained for their construction.

In summary, at the time of this review and based on the information in the possession of the City and recorded at Washington County, the adopted City Code **would not permit the improvement of the subject property with a new single-family structure**. It should be noted that the property owner, or an Applicant in coordination with the owner, could apply for the applicable variances from the City's standards. The variance process would require a full set of building and site plans, septic and well analysis, and narrative as to why the variances are warranted.

If you have any further questions, please do not hesitate to call me at 651.341.4193. Thank you!

Sincerely,

Jennifer Haskamp, AICP
Consulting City Planner

cc. Kim Points, City Administrator/Clerk
Nick Avdian, City Attorney



City of Grant
P.O. Box 577
Willernie, MN 55090
www.cityofgrant.us

pd 3/3/25
Check # 12505 & 12506
\$ 3,500 each
Phone: 651.426.3383
Fax: 651.429.1998
Email: clerk@cityofgrant.com

VARIANCE

Application Date:	03.01.2025
Fee: \$500	Escrow: \$3,000

According to the City of Grant's Zoning Ordinance, a variance "is a modification or variation of the strict provisions of this Ordinance as applied to a specific piece of property in order to provide relief for a property owner because of undue hardship or practical difficulty imposed upon the property by this Ordinance. A variance shall normally be limited to height, bulk, density, and yard requirements." Variances may be granted in cases of exceptional circumstances, when the strict enforcement of the Ordinance would cause a practical difficulty or inability to reasonably use a property.

PARCEL IDENTIFICATION NO (PIN): 2103021220010		LOT SIZE: 1.1
PROJECT ADDRESS: xxx 89th St N Grant, MN 55115	OWNER: Name: James and Bertha Filipkowski Address: 4834 384th Trl City, State, Zip: North Branch, MN 55056 Phone: 651.303.6450 Email:	APPLICANT (if different from Owner): Name: Daniel Hillukka Address: 165 Hickory St City, State, Zip: Mahtomedi, MN 55115 Phone: 612.210.5312 Email: deimhillukka@hotmail.com
BRIEF DESCRIPTION OF REQUEST: We are requesting a variance to build a single family on this parcel of land as the lot existed prior to current city ordinances and has a statutory state law which protects development rights of the owner.		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code sections for a detailed description of required submittal documents, and subsequent process. - Chapter 32, Sec. 32-60. Variances, other Sections per request.		

Required Signatures

*** Note: All parties with a fee interest in the real estate must sign this application before the City will review for completion! ***

Applicant

Name: Daniel Hillukka
(Please print)
Address: 165 Hickory St
City, State, Zip: Mahtomedi, MN 55115
Phone: _____
Cell Phone: 612. 210.5312
Email: deimhillukka@hotmail.com
Signature: [Signature]
Date: 03.01.2025

Fee Title Property Owner

(If different from Applicant)

Name: James & Bertha Filipkowski
(Please print)
Address: 4834 384th Trl
City, State, Zip: North Branch, MN 55056
Phone: _____
Cell Phone: 651.303.6450
Email: _____
Signature: [Signatures]
Date: 03.01.2025

Checklist:

Please review the attached checklist. Minnesota State Statute 15.99 provides the City of Grant 15 business days to determine the application's completeness. Completeness depends on whether or not the applicable checklist items are fulfilled and submitted with your application.

Review Deadline and Timeline:

All applications must be received by the deadlines as posted on the City's website. Failure to submit by the date shown may result in a delay in the scheduling of the application for public hearing. Meeting the deadline does not guarantee that an application will be heard at the next meeting. To improve likelihood of appearing on an agenda, it is recommended that applications be submitted earlier than deadline.

According to Minnesota State Statute 15.99 a Variance has a Statutory review period of 60 days, with the City's ability (which includes city staff and consultants) to extend the review for an additional 60 days if necessary due to insufficient information, directive to provide additional information, the tabling or postponement of an application, lack of quorum, or schedules.

Application for Planning Consideration Fee Statement:

(Please read carefully and understand your responsibilities associated with this land use application)

The City of Grant has set forth a fee schedule by City Ordinance as posted on the City's website. The City of Grant utilizes consulting firms to assist in the review of projects. The consultant and city rates are available upon request. By signing this form, the Applicant accepts sole responsibility for any and all fees associated with the land use application from the plan review stage; the construction monitoring stage; and all the way to the release of any financial guarantees for an approved project. In the event the Applicant fails to make payment of all fees associated with the project, the City of Grant will assess any unpaid or delinquent fees related to this application or project against the subject property. If a project is denied by the City Council or withdrawn by the Applicant, the fees associated for the project until such denial or withdrawal, remain the Applicant's responsibility.

I/WE UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant

Fee Title Property Owner

(If different from Applicant)


Signature


Signature

Daniel Hillukka

James & Bertha Filipkowski

Printed Name

Printed Name

03.01.2025

03.01.2025

Date

Date

Variance Permit Checklist

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City.

COPIES: One (1) full electronic submission; Two (2) 11x17 half scale scalable plan sets.

- ☒ **Site Plan:** Technical drawing demonstrating existing conditions and proposed changes.

All plans must be to-scale, scalable, and include a north arrow.

- Property dimensions
- Area in acres and square feet
- Setbacks (Front, Side, Rear)
- Location of proposed buildings (including footprint, and dimensions to lot lines)
- Location of current and proposed curb cuts, driveways and access roads
- Sanitary sewer (septic) and water utility plans to accommodate use
- Location of wetlands and other natural features
- Existing and proposed parking (if applicable)
- Off-street loading areas (if applicable)
- Existing and proposed sidewalks and trails (if applicable)

- ☒ **Architectural/Building Plan (if applicable):** All plans must be to-scale, scalable, and include a north arrow.

- Location of proposed buildings and their size including dimensions and total square footage
- Proposed floor plans
- Proposed elevations
- Description of building use

- ☐ **Landscape Plan (if applicable):** All plans must be to-scale, scalable, and include a north arrow.

- Landscape plan identifying species and size of trees and shrubs
- Screening plan

- ☒ Statement acknowledging that you have contacted the other governmental agencies such as watershed districts, Washington County departments, State agencies, or other that may have authority over your property for approvals and necessary permits.

- ☒ **Written Narrative:** Describe your request and the practical difficulties that are present on the site and why a Variance is sought. See attached guidance on Practical Difficulty.

- ☒ Paid Application Fee: \$500

- ☒ Paid Escrow*: \$3,000 *Any remaining funds, after expenses, are returned to the Applicant. Expenses incurred over \$3,000 will be billed to the Applicant.

Materials that may be required upon request:

- ☐ Survey of the Property: An official survey, by a licensed surveyor, may be requested with the application. The survey shall be scalable and either Full Scale, or Half Scale (11"x17") as requested by the Zoning Administrator.

- ☐ Full scale plans at a scale not smaller than 1"=100'

- ☐ **Sanitary and stormwater plans.** Sanitary and/or stormwater plans may be requested depending on the proposal of the Variance.

- ☐ **Wetland Delineation.** If the proposed Variance is near a potential wetland boundary or setback, delineation may be required to fully evaluate and approve, or deny, the Variance.

What is a Practical Difficulty?

"Practical Difficulty" as used in connection with the granting of a Variance means:

- The proposed use of the property and associated structures in question cannot be established under the conditions allowed by the Zoning Ordinance or its amendments and no other reasonable alternate use exists.
- The plight of the landowner must be due to physical conditions unique to the land, structures, or buildings in the same zoning district.
- These unique conditions of the site cannot be caused or accepted by the landowner after the effective date of the Zoning Ordinance or its amendments.
- Economic considerations alone shall not constitute a hardship.

City of Grant Zoning Ordinance (Chapter 32, Sec. 32-60)

The Variance, if granted, shall not alter the essential character of the locality.

Those applying for a Variance must describe the specific circumstances which would constitute a practical difficulty. The application must include a written narrative that describes the Variance request and addresses the three factors - reasonable use, unique circumstances, and essential character of the locality - of practical difficulty.

Circumstances which normally constitute a practical difficulty relate to lot size, setbacks, steep slopes and wetlands but cannot be created by the landowner. It is incumbent upon the applicant to explain the case for a practical difficulty, which will form the basis for granting or denying the Variance request.

Review and Recommendation by the Planning Commission. The Planning Commission shall consider oral or written statements from the Applicant, the public, city staff and its consultants and/or its own members. It may question the Applicant and may recommend approval, disapproval, or table by motion the application. The Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

Review and Decision by the City Council. The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application.

Narrative to the City of Grant City Council for: Consideration of a Variance to Build on a Grandfathered Non-Conforming Lot

Introduction:

We respectfully submit this request for a variance to allow the construction of a single family home on the grandfathered non-conforming lot located at xxx 89th St Grant, MN 55115[Parcel ID 2103021220010]. This request seeks to address the practical difficulties imposed by the current Zoning Ordinance (Chapter 32, Sec. 32-60) while ensuring the proposed development aligns with the intent of the zoning regulations and does not alter the essential character of the locality. We believe the variance is necessary due to the zoning conditions inherent to the property, and that without such a variance, no reasonable use or development of the land can be achieved.

Practical Difficulty:

1. **Inability to Establish the Proposed Use Under Current Zoning Conditions:** The proposed construction of a single-family house cannot be established under the conditions permitted by the current zoning ordinance. The lot, being non-conforming, does not meet the size set forth by the current zoning regulations. Without the variance, no reasonable or practical alternative use for the property exists that would fully utilize its potential in a manner consistent with the surrounding area's development patterns. The lot's limitations prevent any other viable development that could provide an appropriate or beneficial use of the property, and thus, this request for a variance is necessary to unlock the property's value and utility.
2. **Unique Physical Conditions of the Land:** The difficulty faced by the property owner is due to unique physical conditions inherent to the land, which are distinct from other properties in the same zoning district. Specifically, the lot is undersized in relation to the current zoning ordinance. These conditions were established long before the current zoning ordinance came into effect, and they create constraints that are not present in other properties within the same district. These unique characteristics make it impossible to develop the property in compliance with the existing zoning code without causing unnecessary hardship to the landowner(s).
3. **Conditions Not Caused or Accepted by the Landowner:** The challenges and constraints presented by this lot are not self-imposed nor the result of any actions taken by the current landowner. The lot was established prior to the adoption of the current zoning ordinance and/or its amendments, and its non-conforming status is a result of its history, not any decision or change made by the property owner. The landowner has not caused or accepted these conditions, and they are beyond the owner's control.
4. **Economic Considerations Not a Hardship:** While the landowner may face financial imposition while the property is a non-conforming lot, it is important to note that economic consideration is not the reason for the hardship rather it is due to the Zoning Ordinance. The hardship being presented is tied to the unique physical characteristics of the property. The variance is sought to allow for reasonable development that accommodates these physical

constraints, ensuring that the property can be used in a way that aligns with the needs of the landowner and the broader community.

Impact on the Character of the Locality:

Granting this variance will not alter the essential character of the locality. The development will blend with the land use patterns of the surrounding area, ensuring that the neighborhood's character is preserved. Additionally, the non-conforming lot is already part of an area with similarly situated properties, meaning that the proposed development will not introduce any elements that would disrupt the neighborhood's cohesiveness.

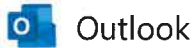
Other Permitting Items:

The local water shed district (Rice Creek) has been contacted and they indicated no permit for the construction of this single-family home would be required from them. The county of Washington has reviewed the septic design we obtained from a licensed designer and reviewed and approved it with no objections.

Conclusion:

In conclusion, we respectfully request the city council to grant a variance to allow the construction of a single-family home on this grandfathered non-conforming lot. The property's unique physical conditions create practical difficulties in developing the land according to the current zoning ordinance, and no reasonable alternative use exists that would allow for productive or beneficial development. The granting of this variance is in keeping with the intent of the Zoning Ordinance and will not alter the essential character of the locality. We are committed to working with the city to ensure that the proposed development is both appropriate and beneficial to the community.

We appreciate your thoughtful consideration of this request and are available to provide any additional information or clarification.



Re: City of Grant - site plan sketch- Hillukka

From Dan Hillukka <deimhillukka@hotmail.com>

Date Mon 1/20/2025 7:32 AM

To jhaskamp@swansonhaskamp.com <jhaskamp@swansonhaskamp.com>

Jennifer,

Hello, I am circling back to discuss this lot.

I was recently made aware of some meeting minutes from the July 2024 monthly city council meeting, more specifically the portion that discussed Lots of record that do not comply with the current zoning ordinances of the City of Grant.

I have copied the section of meeting minutes and pasted them below with my commentary from the understanding I have.

As presented on May 7th 8 under the current ordinance, a substandard lot that does not meet the exemption criteria would be required to obtain a variance(s) from the standards from which the lot deviates. It is possible that a variance(s) would be justifiable, particularly given how rare the condition is in the City. (There are less than six (6) parcels total in the City that are less than 2.5 acres and are not under common ownership with an adjacent parcel.)

A couple notes regarding the variance process:

Review and research of the timing of when the parcel/lot was created would be required. Evidence, either through the Washington County recorder or through personal records, that the lot or parcel was created prior to February 1983 would be mandatory. We have documentation[a deed] at the link below that this lot was created prior to February 1983 — since the transfer of ownership happened in 1971, also in the response from you on the Land Use Application your response indicated the lot was in existence prior to 1983 also.

Evidence that the parcel/lot was buildable at the time of its creation would need to be provided. This could be through an approved plat or some other formal documentation or review from Washington County. We have an official document showing ownership transfer and registration of said property transference recorded by the respective Washington County register's office. I don't know specifically what else would be required to prove that the lot was/is buildable. Just based off size the lot is buildable-- when reviewing other lots around the city that have been built on.

Evidence that the parcel/lot was under independent ownership from any adjacent parcel before 1982 continuing through the time of application would be required. (Note: Subsection (c) was 23 enacted as part of the 1982 ordinance that required combination of substandard lots with adjacent parcels under common ownership.) If the parcel was transferred from common ownership since 1983, then most likely the variance criteria would fail because the issue would be self-created as the ordinance provision regarding combination was in place. See the attached earlier referenced Warranty Deed copy showing ownership transference in 1971 to the current owners.

If the above requirements could be demonstrated, then a development plan for the parcel would be required to demonstrate that the lot could be served by independent septic and water. We have a site plan and septic plan approved by the county of Washington, with adequate space for everything on the lot, please see link below for document.

Based on the requirements listed in the meeting minutes[above] and the information we have compiled and the design approved by the county of Washington-- what would deny this lot from being approved for a building permit by the city of Grant?

I would like to discuss this further if it's possible --as your recommendation carries a lot of weight with the city council and they heavily respect your recommendation.

Please respond with a time that works for you to discuss this over a call if it's possible.

Link to documents:

 [89th St Lot Documents](#)

Please let me know if your not able to access the documents.

Thanks in advance for your time!

Daniel Hillukka

612.210.5312

From: Dan Hillukka <deimhillukka@hotmail.com>

Sent: Thursday, May 2, 2024 7:41 AM

To: jhaskamp@swansonhaskamp.com <jhaskamp@swansonhaskamp.com>

Subject: City of Grant - site plan sketch- Hillukka

Jennifer,

Thanks for taking the time to review this sketch. Let me know if there's anything else we should add, or if there's an error we should correct

Thanks

Daniel Hillukka

612.210.5312

Get [Outlook for Android](#)

292268

This Indenture, Made this 7th day of September, 1971,
between Glenn F. Tubbs and Mable E. Tubbs, his wife,

of the County of Washington and State of Minnesota, parties
of the first part, and James Paul Filipkowski and Bertha R. Filipkowski, husband and wife,
as joint tenants and not as tenants in common, of the County of
Ramsey and State of Minnesota, parties of the second part,

Witnesseth, That the said parties of the first part, in consideration of the sum of One Dollar
(\$1.00) and other good and valuable considerations - - - - - DOLLARS,
to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowl-
edged, do hereby Grant, Bargain, Sell, and Convey unto the said parties of the second part as joint
tenants and not as tenants in common, their assigns, the survivor of said parties, and the heirs and
assigns of the survivor, Forever, all the tract or parcel of land lying and being in the County of
Washington and State of Minnesota, described as follows, to-wit:

All that part of the Northwest Quarter of the Northwest Quarter (NW¹/₄ of NW¹/₄) of Section
21, Township 30 North, Range 21 West, Grant Township, Washington County, Minnesota, des-
cribed as follows: Commencing at the Northwest corner of Section 21, Township 30 North,
Range 21 West; thence South along the West line of said Section 21 for 343.3 feet; thence
East at right angles for 1144.1 feet to the point of beginning of this description; thence
continuing East at right angles to said West line of Section 21 for 134 feet; thence North
for 360.7 feet to its intersection with the North line of said Section 21 at a point
1276 feet East of said northwest corner of Section 21; thence West along said North line
of Section 21 for 134 feet; thence South for 359.3 feet to the point of beginning.

Containing 1.11 acres, more or less, subject to a 66 foot road easement over and across
the South 66 feet of the above described tract.

Together with a 66 foot wide road easement, the South line of which is described as
follows: Commencing at the northwest corner of Section 21, Township 30 North, Range 21;
thence South along the West line of said Section 21 for 343.3 feet to the point of begin-
ning of the description of the South line of the 66 foot road easement; thence East at
right angles for 1144.1 feet to its intersection with the West line of the above described
tract, which is the end of the description of the South line of said 66 foot road easement.

According to the United States Government Survey thereof.

The State Deed Tax due hereon is \$3.30.



To Have and to Hold the Same, Together with all the hereditaments and appurtenances there-
unto belonging or in anywise appertaining, to the said parties of the second part, their assigns, the sur-
vivor of said parties, and the heirs and assigns of the survivor, Forever, the said parties of the second part
taking as joint tenants and not as tenants in common.

And the said Glenn F. Tubbs and Mable E. Tubbs, his wife,

parties of the first part, for themselves and their heirs, executors and administrators do
covenant with the said parties of the second part, their assigns, the survivor of said parties, and the heirs
and assigns of the survivor, that they are well seized in fee of the lands and premises aforesaid and
have good right to sell and convey the same in manner and form aforesaid, and that the same are
free from all incumbrances,

And the above bargained and granted lands and premises, in the quiet and peaceable possession of the
said parties of the second part, their assigns, the survivor of said parties, and the heirs and assigns of the
survivor, against all persons lawfully claiming or to claim the whole or any part thereof, subject to
incumbrances, if any, hereinbefore mentioned, the said parties of the first part will Warrant and
Defend.

In Testimony Whereof, The said parties of the first part have hereunto set their
hands the day and year first above written.

In Presence of

Michael J. Rydke
Michael P. Miller

Glenn F. Tubbs
Mabel E. Tubbs

292268

Doc. No. 292268
WARRANTY DEED
 Individual to Joint Tenants

TO

OFFICE OF REGISTER OF DEEDS
 State of Minnesota,

County of WASHINGTON
 I hereby certify that the within Deed
 was filed in this office for record on the
9th day of September,
 19 71, at 9:00 o'clock A.M.,
 and was duly recorded in Book 313,
 of Deeds, page 140.

JAMES F. SIMONET
 Register of Deeds
 By _____, Deputy

Taxes for the year 19 _____ on the lands
 described within, paid this
 day of _____, 19 _____

County Treasurer
 By _____, Deputy

Taxes paid and Transfer entered this
 day of _____, 19 _____

County Auditor
 By _____, Deputy

James P. Filipkowski
 910 Minnehaha Ave.
 St. Paul, Minn. 55102 Paid \$2.00

State of Minnesota,
 County of Washington

On this 7th day of September, 19 71, before me, a
 Notary Public
Glenn F. Tubbs and Mable E. Tubbs, his wife,
 within and for said County, personally appeared
 to me known to be the person.s described in, and who executed the foregoing instrument,
 and acknowledged that they executed the same as
 (See Note)
 their free act and deed.

(See Note)

Richard A. Peterson
 RICHARD A. PETERSON
 Notary Public, Washington County, Minnesota
 My Commission Expires Sept. 14, 1972
 My commission expires _____



NOTE: The blank lines marked "See Note" are for use when the instrument is executed by an attorney in fact.

THIS INSTRUMENT WAS DRAFTED BY
Richard A. Peterson of the firm of Neumeier & Kimmel, Attorneys at Law,
 (Name)
200 East Chestnut Street
 (Address)
Stillwater, Minnesota 55082

Tax Statements for the real property described in this instrument should be sent to:
 James Paul Filipkowski
 910 Minnehaha Avenue
 St. Paul, Minnesota

NO DELINQUENT TAXES AND TRANSFER ENTERED.
 WASHINGTON COUNTY, MINNESOTA

Sept 9 19 71
 J. R. GREEDER, AUDITOR
 By E. J. Keller DEPUTY

027271

292268

This Indenture, Made this 7th day of September, 1971,
between Glenn F. Tubbs and Mable E. Tubbs, his wife,

of the County of Washington and State of Minnesota, parties
of the first part, and James Paul Filipkowski and Bertha R. Filipkowski, husband and wife,
as joint tenants and not as tenants in common, of the County of
Ramsey and State of Minnesota, parties of the second part.

Witnesseth, That the said parties of the first part, in consideration of the sum of One Dollar
(\$1.00) and other good and valuable considerations - - - - - DOLLARS,
to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowl-
edged, do hereby Grant, Bargain, Sell, and Convey unto the said parties of the second part as joint
tenants and not as tenants in common, their assigns, the survivor of said parties, and the heirs and
assigns of the survivor, Forever, all the tract or parcel of land lying and being in the County of
Washington and State of Minnesota, described as follows, to-wit:

All that part of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section
21, Township 30 North, Range 21 West, Grant Township, Washington County, Minnesota, des-
cribed as follows: Commencing at the Northwest corner of Section 21, Township 30 North,
Range 21 West; thence South along the West line of said Section 21 for 343.3 feet; thence
East at right angles for 1144.1 feet to the point of beginning of this description; thence
continuing East at right angles to said West line of Section 21 for 134 feet; thence North
for 360.7 feet to its intersection with the North line of said Section 21 at a point
1276 feet East of said northwest corner of Section 21; thence West along said North line
of Section 21 for 134 feet; thence South for 359.3 feet to the point of beginning.

Containing 1.11 acres, more or less, subject to a 66 foot road easement over and across
the South 66 feet of the above described tract.

Together with a 66 foot wide road easement, the South line of which is described as
follows: Commencing at the northwest corner of Section 21, Township 30 North, Range 21;
thence South along the West line of said Section 21 for 343.3 feet to the point of begin-
ning of the description of the South line of the 66 foot road easement; thence East at
right angles for 1144.1 feet to its intersection with the West line of the above described
tract, which is the end of the description of the South line of said 66 foot road easement.

According to the United States Government Survey thereof.

The State Deed Tax due hereon is \$3.30.



To Have and to Hold the Same, Together with all the hereditaments and appurtenances there-
unto belonging or in anywise appertaining, to the said parties of the second part, their assigns, the sur-
vivor of said parties, and the heirs and assigns of the survivor, Forever, the said parties of the second part
taking as joint tenants and not as tenants in common.

And the said Glenn F. Tubbs and Mable E. Tubbs, his wife,
parties of the first part, for themselves and their heirs, executors and administrators do
covenant with the said parties of the second part, their assigns, the survivor of said parties, and the heirs
and assigns of the survivor, that they are well seized in fee of the lands and premises aforesaid and
have good right to sell and convey the same in manner and form aforesaid, and that the same are
free from all incumbrances,

And the above bargained and granted lands and premises, in the quiet and peaceable possession of the
said parties of the second part, their assigns, the survivor of said parties, and the heirs and assigns of the
survivor, against all persons lawfully claiming or to claim the whole or any part thereof, subject to
incumbrances, if any, hereinbefore mentioned, the said parties of the first part will Warrant and
Defend.

In Testimony Whereof, The said parties of the first part have hereunto set their
hands the day and year first above written.

In Presence of

Michael J. Tubbs
Michael P. Miller

Glenn F. Tubbs
Mable E. Tubbs

State of Minnesota,
County of Washington

On this 7th day of September, 1971, before me, a
Notary Public
Glenn F. Tubbs and Mable E. Tubbs, his wife,
to me known to be the person(s) described in, and who executed the foregoing instrument,
and acknowledged that they executed the same as
(See Note)
their free act and deed.
(See Note)

RICHARD A. PETERSON
Notary Public, Washington County, Minnesota
My Commission Expires Sept. 14, 1972
My commission expires

NOTE: The blank lines marked "See Note" are for use when the instrument is executed by an attorney in fact.

THIS INSTRUMENT WAS DRAFTED BY
Richard A. Peterson of the firm of Neumeier & Kimmel, Attorneys at Law,
200 East Chestnut Street (Name)
Stillwater, Minnesota 55002 (Address)

Tax Statements for the real property described in this instrument should be sent to:
James Paul Filipkowski
910 Minnehaha Avenue
St. Paul, Minnesota

NO DELINQUENT TAXES AND TRANSFER ENTERED.
WASHINGTON COUNTY, MINNESOTA

Sept 9 1971
I. R. GREEDER, AUDITOR
By C. J. Deller DEPUTY

Minnesota Form No. 5-M

292268

Doc. No. 292268
WARRANTY DEED
Individual to Joint Tenants

TO

OFFICE OF REGISTER OF DEEDS
State of Minnesota.

County of WASHINGTON
I hereby certify that the within Deed
was filed in this office for record on the
9th day of September,
1971, at 9:00 A.M.,
and was duly recorded in Book 313,
of Deeds, page 1110.

JAMES F. SIMONET
Register of Deeds
By _____, Deputy

Taxes for the year 19 _____ on the lands
described within, paid this _____
day of _____, 19 _____

County Treasurer
By _____, Deputy

Taxes paid and Transfer entered this _____
day of _____, 19 _____

County Auditor
By _____, Deputy

James P. Filipkowski
910 Minnehaha Ave.
St. Paul, Minnesota 55101 Paid \$2.00

No.72.

Cosmopolitan State Bank of
Stillwater

To

Glenn F. Tubbs and Mable E.
Tubbs, husband and wife,

Satisfaction of Mortgage, dated October 29-1971,
recorded November 2-1971 in Book 229 of Mortgages,
page 548.
Satisfies Mortgage recorded in Book 196 of Mortgages,
page 40.
Executed by Its President and Its Vice President.

No.73.

Glenn F. Tubbs and Mabel
Tubbs, husband and wife,

To

William T. Klatt and Patricia
D. Klatt, husband and wife,
as joint tenants and not
as tenants in common,

Warranty Deed, dated July 18-1966, recorded August 5-
1966 in Book 291 of Deeds, page 226.
Convey the real estate described in the caption
of this Abstract.

CITY OF GRANT
MINUTES

DATE : February 4, 2025
TIME STARTED : 6:31 p.m.
TIME ENDED : 8:15 p.m.
MEMBERS PRESENT : Councilmember Rog, Cornett,
Cremona and Mayor Giefer
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian; City Planner, Jennifer Haskamp; City Treasurer, Sharon Schwarze; and Administrator/Clerk

CALL TO ORDER

The meeting was called to order at 6:31 p.m.

PUBLIC INPUT

Mr. Greg Anderson, 8660 Kimbro Avenue, came forward and stated he has an interest in the open Council seat. He provided his background information noting he supports the rural aspect of Grant and keeping it that way. He stated he feels like he has a strong "application" and the experience to be effective on the City Council.

Mr. Loren Sederstrom, 9330 107th St N, came forward and provided his background and experience noting he has been civically active for many years. He highlighted his City experience and other organizations. He stated he has lived in Grant since 19193 and was on the Planning Commission and City Council.

Mr. Jeff Schafer, 8688 Jamaca, came forward and stated he served on the Planning Commission for four years and City Council for three years. He did resign from the City Council due to the previous Mayor. He stated he is excited about the new leadership and wants to be a part of that. He provided his background relating to experience and advised he does not feel the density requirements in Grant should change but there are improvements that can be made within the City.

Mr. Sam Scott, 9250 Dellwood Road, came forward and stated he has lived in communities like Grant for many years. He stated he believes he can help the community and certainly make people feel more connected and make Grant even better. He stated he would like the opportunity to serve on the City Council.

Mr. Wayne Sarrapo, 8770 105th Street, came forward and stated he has lived in Grant for 37 years. He provided his background in terms of job experience and within federal agencies as well as County experience. He stated his experience would help in working with people and he appreciates the Council's consideration of him to vacant Council seat.

PLEDGE OF ALLEGIANCE**SETTING THE AGENDA**

Council Member Cornett moved to approve the agenda, as presented. Council Member Cremona seconded the motion. Motion carried unanimously.

CONSENT AGENDA

January 7, 2025 City Council Meeting Minutes

Approved

January 2025 Bill List, \$62,223.27

Approved

Bremer Bank, 2019/2020 Road Project, \$82,824.00

Approved

Council Member Rog moved to approve the consent agenda, as presented. Council Member Cornett seconded the motion. Motion carried unanimously.

STAFF AGENDA ITEMS**City Engineer, Brad Reifsteck**

Approval of Ten-Year Capital Improvement Plan Update – City Engineer Reifsteck advised the previous 10-year capital improvement plan (CIP) for paved roadway maintenance ended in 2024.

Since 2015, the city's paved roads have increased by 2.7 miles, from 33.5 miles to 36.2 miles. This growth includes developments and the paving of aprons over existing gravel roads. Additionally, during this period, many existing paved roads have been reconstructed, either through special road projects directed by the council or petitioned by residents. The total amount of roads reconstructed since 2015 is approximately 10.5 miles.

The current road policy enables residents living on a paved street scheduled for maintenance in any given year to utilize allocated city-planned roadway maintenance funds for a more extensive roadway reconstruction project. Subsequently, residents are assessed for the remaining costs of street reconstruction, historically ranging from \$7,700 to \$25,000 per buildable lot, according to the city's current policy.

The proposed 10-year capital improvement plan, which includes a map, is attached. The city is divided into 4 regions, each containing approximately 8 miles of paved roads, except for the northeast region, which spans approximately 11 miles and has seen the most paved roadways reconstructed over the last 10 years.

Maintenance recommendations for each street segment outlined in the proposed 10-year CIP are categorized into three types:

- Preventative: These are newly reconstructed or paved roads.
- Monitor: These are paved roads where strategic patching will be used or until a petition is received from residents.

City Engineer Reifsteck noted the plan can change based on budget adjustments.

Council Member Cornett made a motion to approve the Ten-Year Capital Improvement Plan, as presented. Council Member Cremona seconded the motion. Motion carried unanimously.

City Planner, Jennifer Haskamp

PUBLIC HEARING, Consideration of Resolution No. 2025-04, Request for Minor Subdivision, 11154 60th Street N – City Planner Haskamp advised Cozzie’s Holding LLC (“Applicant”) is requesting a Minor Subdivision (Lot Split) for the property located at 11154 60th Street North. The property was recently purchased by CT Land LLC & J & S Stillwater LLC (“Owner”). The subject property’s septic system is currently located on the neighboring property at 11130 60th Street North under a private easement agreement with the current owner, R-Two Holdings, LLC dba David Rustad. The requested Minor Subdivision (Lot Split) will detach the portion of land where the septic system is located (sending parcel) and adjoin it to the subject property (receiving parcel) so that the septic system and the subject property are under the same ownership. R-Two Holdings, LLC has agreed to this transfer. No new buildable lots will be created as a result of the proposed subdivision.

A duly noticed public hearing has been published, and letters were sent to adjacent property owners within a ¼-mile (1,320 ft) of the property. The public hearing has been scheduled for the regular City Council meeting on February 4, 2025.

The following staff report summarizes the requested Minor Subdivision (Lot Split), existing conditions, draft findings, and conditions of approval.

APPLICATION SUMMARY

<p>Applicant: Cozzie’s Holding, LLC</p> <p>Owner: CT Land LLC & J & S Stillwater LLC</p>	<p>Location: 11154 60th Street North, Grant, MN 55082</p> <p>PID: 3603021330006</p> <p>Lot Size: 1.1 Acres</p> <p>Land Use: General Business (GB)</p> <p>Zoning: General Business (GB)</p>
<p>Request: The Applicant is requesting a Minor Subdivision (Lot Split). The subject property’s septic system is currently located on the adjacent property at 11130 60th Street North under a private easement agreement. If approved, the Minor Subdivision will detach the sending parcel and adjoin it to the receiving parcel so that the septic system and the subject property are under the same ownership.</p>	

City Planner Haskamp stated the City’s subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. Section 32-246 governs dimensional standards and other zoning considerations. The following analysis provides an overview of the Minor Subdivision request and any relevant established standards.

EXISTING SITE CONDITIONS

The subject property is located at 11154 60th Street North. The 1.1-acre parcel is bordered by commercial uses to the north and east and has frontage along 60th Street North along its southerly border.



In 2016, the subject property was issued a Conditional Use Permit (CUP), which allows for the operation of a Restaurant, Bar, or Tavern as defined in Section 32-1 of the City's Zoning Ordinance. The primary structure is located on the southern half of the property, while the northern portion of the site is predominately utilized as parking space.

The existing septic system for the subject property is located on the neighboring parcel (11130 60th Street North) under a private easement agreement. The subdivision request will detach that portion of land where the septic system is located (Parcel A in Figure 2) and adjoin it to the subject property (Parcel B in Figure 2) so that the septic system and the subject property are under the same ownership. No new buildable lots will be created as a result of the proposed subdivision.

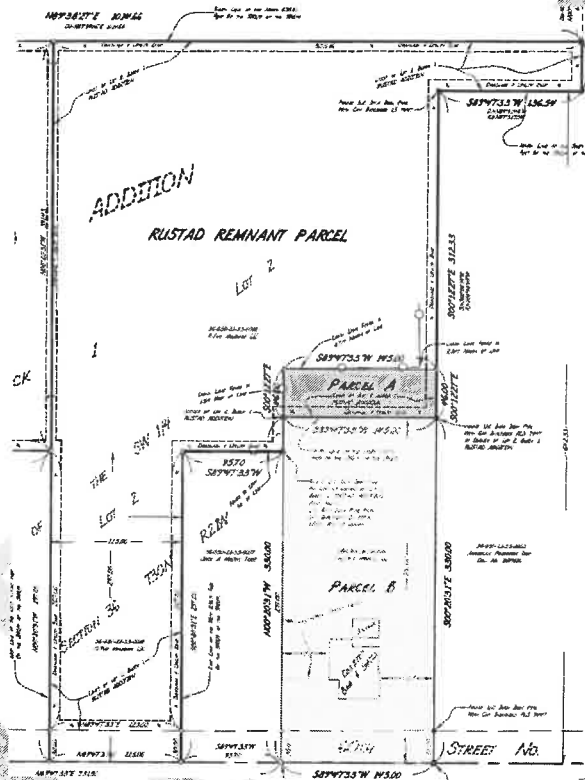


Figure 2. Proposed minor subdivision (lot split) configuration

The site is zoned General Business (GB) in the City's adopted Comprehensive Plan. The proposed Minor Subdivision will not change the use of the site, nor will it expand the amount of land in the City with commercial and general business uses. The proposed Minor Subdivision will also enable the property owners to own the land that contains their existing septic system, which supports the operation of their permitted commercial business.

City Planner Haskamp advised the Applicant submitted a survey exhibit as part of their application (Attachment A). The proposed configuration will detach approximately 6,670-squarefeet of land where the subject property's septic system is located (Parcel A) and adjoin it to the subject property (Parcel B). If the proposed Minor Subdivision (Lot Split) is approved, Parcels A and B will total approximately 1.25-acres.

Currently, the subject property does not meet the 2.5-acre minimum lot size standard for properties within the General Business (GB) zoning district, per Section 32-246 of the Zoning Ordinance.

- 1 However, the subject property was created prior to the adoption of the minimum lot size standards.
 2 While it does not meet the standard, the lot size is deemed to be a legal non-conforming lot.

3 **Table 1. Lot dimensions**

Dimensional Standards (Section 32-246)		Parcel A	Parcel B	Combined Parcel A & B
Minimum Lot Area per non-residential structure (acres)	2.5	0.15	1.1	1.25
Minimum Lot Depth (feet)	150	46	330	376
Minimum Lot Width (feet)	300	145	145	145
Frontage on an Improved Public Road	300	N/A	145	145
Setbacks				
Front Yard	65	N/A, no structure proposed	65	65
Side Yard	20		52.3/44.5	52.3/44.5
Rear Yard	30		205	251

- 4 As previously stated, the proposed Minor Subdivision and subsequent adjoining of Parcels A and B
 5 will ensure that the owners of the subject property will own the land that contains their existing septic
 6 system, which will support the operation of the restaurant/bar.

7 **Staff recommends including a condition for approval that Parcel A and Parcel B must be**
 8 **combined.**

- 9 The City Engineer did not have any comments regarding the proposed Minor Subdivision since there
 10 are no site or physical improvements proposed.

11 **Staff recommends including a condition that the Applicant is responsible for filing the**
 12 **lot/parcel combination deeds with Washington County Recorder consistent with the exhibit**
 13 **dated 12/22/2024 showing the new lot configuration.**

- 14 Staff has prepared a draft resolution of approval with conditions, which is attached for your review
 15 and consideration.

16
 17 **Council Member Rog moved to open the public hearing at 7:03 p.m. Council Member**
 18 **Cremona seconded the motion. Motion carried unanimously.**

19
 20 **Council Member Cremona moved to close the public hearing at 7:04 p.m. Council Member**
 21 **Cornett seconded the motion. Motion carried unanimously.**

22
 23 **Council Member Cremona moved to adopt Resolution No. 2025-04, as presented. Council**
 24 **Member Cornett seconded the motion. Motion carried unanimously.**

25

PUBLIC HEARING, Consideration of Amended Conditional Use Permit, Two Silo Farmhouse Resort, 7040 117th St N – City Planner Haskamp stated on November 2, 2020, Keith Dehnert (“Applicant”) on behalf of the Two Silo Farmhouse Resort, was granted a Conditional Use Permit (CUP) to operate a Farm Winery and Resort on the subject property consistent with the City’s ordinances. The CUP was executed on November 12, 2020, and it identified 38 conditions. On August 5, 2021, the Applicant applied for an Amendment to the 2020 CUP to allow for the demolition of an existing 4,250 SF accessory building and a Building Permit to construct a new 6,000 SF building to be used for winery operations. The CUP Amendment was executed on November 1, 2021, with two (2) additional conditions.

Condition #34 of the Amended 2021 CUP (Condition #32 of the 2020 CUP) states the following:

Any future expansion or intensification of the Two Silo Farmhouse Resort operations shall require an amendment to the Permit. Intensification shall include, but not be limited to: additional facilities/accessory buildings (not sheds) beyond those identified on the site plan, expansion of the parking lot beyond 22 stalls, substantial increase to the number of guests identified in the addendum to the narrative, etc.

Condition #36 of the Amended 2021 CUP (Condition #34 of the 2020 CUP) states the following:

No signage is approved as part of this permit. Any future signage shall be subject to the sign ordinance in place at time of application and may require an amendment to the CUP.

Pursuant to Conditions #34 and #36, the Applicant applied for a second Amendment to the CUP on December 10, 2024. Per the submitted narrative (Attachment A), the Applicant is requesting increased occupancy, expansion of the parking lot, installation of an illuminated wall-mounted “WINERY” sign (after-the-fact), use of the east end concrete apron, and request to install an ambient surround sound system.

The application for the requested CUP amendment was deemed complete on December 10, 2024. A duly noticed public hearing was published, and letters were sent to adjacent property owners within a ¼-mile (1,320 ft) of the property. The public hearing is scheduled for the regular City Council meeting on February 4, 2025.

The following staff report summarizes the requested CUP Amendment, existing conditions, draft findings, and conditions of approval.

APPLICATION SUMMARY

Applicant/Owner:

Keith Dehnert on behalf of Two Silos Farmhouse Resort, LLC

Location: 7040 117th Street N

Lot Size: 21.01 Acres

PID: 0503021220001

Zoning & Land Use:

A1 – Agricultural Large Scale

RR/AG - Rural Residential/Agricultural

Request: Amended Conditional Use Permit (CUP)

The Applicant is requesting an amendment to the Amended 2021 CUP, which was issued on November 1, 2021. A summary of the proposed amendment is as follows:

1. Occupancy

- The Applicant is requesting to increase on-site occupancy from 75 to 140 guests.

2. Parking

- The Applicant is requesting to increase parking capacity to 56 stalls. The Amended 2021 CUP permits 22 stalls with overflow parking to be used on a limited basis. The Applicant is proposing to add 26 permanent stalls to the overflow parking area, and 8 stalls to the areas in front of the garages to accommodate additional guest occupancy.

3. Signage

- The Applicant is requesting to install an illuminated, wall-mounted "WINERY" sign on the east elevation of the tasting/production building. The sign has already been installed, so the Applicant is seeking an after-the-fact permit. The sign is 55-squarefeet in size and is mounted approximately 15' from the ground elevation on the east facade of the building. The Applicant is proposing to put the sign on a timer that will turn off the illumination after 10:00pm.

4. Crush Pad

- The Applicant is requesting to use the concrete apron on the east side of the tasting/production building as a "Crush Pad." This area will be used for deliveries and processing.

5. Ambient Surround Sound System

- The Applicant is requesting to install an indoor and outdoor ambient amplified surround sound system to the operation.

6. Future Operations

- The Applicant includes several future operation options such as expanding the types of crops grown on site, animal husbandry, and a greenhouse.
- The future operation options are not evaluated as part of the following analysis because they are not included in the current amendment request.

City Planner Haskamp stated the City Code addresses amendments to existing CUPs in Section 32-152, which states that, "[a]n amended conditional use permit application may be administered in a manner similar to that required for a new conditional use permit . . ." As such, the Application to amend the CUP is processed accordingly, and the requested amendment is to consider only those portions of the operations and/or facility that are proposed to change. Section 32-141(d - e) of the City Code states the following when reviewing a Conditional Use Permit:

(d) In determining whether or not a conditional use may be allowed, the City will consider the nature of the nearby lands or buildings, the effect upon traffic into and from the premises and on adjoining roads, and all other relevant factors as the City shall deem reasonable prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.

1 *(e) If a use is deemed suitable, reasonable conditions may be applied to issuance of a conditional use*
2 *permit, and a periodic review of said permit may be required.*

3 The purpose of this amendment is not to consider the use of the property as a Farm Winery, since the
4 determination that the use is consistent with the City's regulations was approved during both the 2020
5 CUP and the 2021 CUP Amendment process. This amendment is specifically for the requested
6 occupancy increase, parking expansion, illuminated wall-mounted sign, use of the east end concrete
7 apron, and the ambient surround sound system. These items relate to conditions 2, 3, 14, 19, 26, 34,
8 and 36 of the 2021 Amended CUP. Other conditions within the CUP may be affected by this
9 amendment, but the intent and conditions will remain valid and enforceable.

10 The subject property is located in the far northwestern corner of the City, which is surrounded by the
11 City of Hugo to the north and the City of Dellwood to the south. The approximately 21-acre site
12 includes an existing farmhouse (principal structure), a grainery building, a tasting/production
13 building, five accessory structures, a windmill, and two silos. The Applicant has planted rows of
14 grape vines on either side of the entry driveway and adjacent to the eastern property line. The site is
15 accessed from an existing driveway that is connected to 117th Street North on the southerly border of
16 the parcel.

17 It should be noted that the Applicant has already installed the proposed illuminated signage on the
18 east elevation of the tasting/production building. The City received a complaint regarding the sign
19 and its illumination which was investigated by the Zoning Administrator/Building Official. It was
20 determined that the sign was in violation of the ordinance and CUP and an enforcement letter was
21 sent to the Property Owner (Applicant) indicating that an amendment to the CUP was required. After
22 several attempts to get the Applicant to comply, the sign illumination was turned off and this
23 Application for CUP Amendment was submitted. The sign itself remains on the building, and Staff
24 confirmed on a recent site visit that it was not illuminated on the evening of the visit.

25 As stated, the Applicant is requesting to increase on-site occupancy from 75 to 140 guests. Conditions
26 #2 and #3 of the Amended 2021 CUP note the following regarding occupancy:

27 2. *The occupancy of the site shall be restricted to no more than 75 guests at any one time. Such*
28 *occupancy shall include the number of guests staying in the overnight accommodations at the*
29 *Farmhouse.*

30 3. *The Farmhouse occupancy, which shall be described as the overnight accommodations, shall*
31 *be limited to no more than 12 guests.*

32 The requested occupancy increase will nearly double the current limit established by the CUP. While
33 permitting higher occupancy may support the operation of the business, it will also increase the
34 potential adverse impacts to neighboring properties. Higher occupancy may produce additional traffic
35 and noise, among other environmental impacts and disturbances.

36 Operating in compliance with the existing conditions and limitations established by the CUP
37 demonstrates consideration of the neighboring properties. Recent violations have adversely affected
38 the surrounding area. Staff finds that expansion of the permitted occupancy at this time is
39 unreasonable given violations of the existing CUP over the past year.

1 **Staff Recommendation:** Staff recommends denial of the request to amend the CUP to allow for an
2 increase in permitted occupancy.

3 City Planner Haskamp advised the Applicant is requesting to increase parking capacity from 22 to 56
4 stalls. Conditions #7, #8, and #19 state the following regarding parking:

5 7. *Overflow parking shall be reserved onsite as shown on the Amended Site Plan and shall*
6 *remain unobstructed. The overflow parking shall be used on a limited basis and is intended to*
7 *ensure adequate parking onsite, not to allow for additional guests or patrons in excess of the*
8 *maximum occupancy identified.*

9 8. *All parking shall be accommodated onsite, and no visitor parking shall be permitted on 117th*
10 *Street North.*

11 19. *The Applicant shall fully design a parking lot to support a minimum of 22-vehicles to*
12 *supplement existing parking areas on the subject site. The parking lot design shall include*
13 *proposed materials (which shall be dustless), grading, and full specifications for review and*
14 *approval by the City Engineer prior to the issuance of a Grading Permit or Building Permit.*

15 The Applicant is proposing to add 26 parking stalls to the overflow parking area, and 8 stalls to the
16 areas in front of the garages to accommodate additional guest occupancy. A parking plan was not
17 submitted with the application materials. The overflow parking area is not an improved dustless
18 surface, is currently grass (pervious) and is not designed as a permanent parking lot for the business.
19 Any expansion of the parking lot will require full design plans including additional stormwater
20 calculations that must be reviewed by the Rice Creek Watershed District (RCWD) and the City
21 Engineer. As submitted no details regarding the parking lot were submitted with the Application.

22 As previously noted, staff recommends denial of the increase in occupancy requested and therefore
23 expanding the parking lot at this time is unnecessary since current site improvements support the
24 current CUP occupancy loads.

25 **Staff Recommendation:** Staff recommends denial of the request to amend the CUP to expand the
26 parking lot into the Overflow Parking area. All existing conditions of the CUP remain valid and in
27 effect.

28 The Applicant is requesting an after-the-fact permit for an illuminated, wall-mounted “WINERY”
29 sign on the east façade of the tasting/production building. The sign area is approximately 55-square
30 feet and is mounted approximately 15’ – 16’ from the ground elevation of the tasting/production
31 building (See Figure 1). The Applicant is proposing to put the sign on a timer that will turn off the
32 LED-illumination between 10:00pm and daylight. The dimensions and design of the sign are included
33 in the submitted application materials (Attachment A). The following analysis evaluates the sign with
34 respect to the City’s signage standards.

35 Section 32-420 governs permitted signs for uses that require a conditional use permit. It states the
36 following:

37
38 (b.) *To the extent feasible and practicable, signs shall be regulated in a manner similar to that in*
39 *the use district most appropriate to the principal use involved.*
40

1 The Two Silo Farm and Winery is located in an A-1 zoning district, so it is appropriate to evaluate
2 the proposed sign according to the signage standards established for agricultural districts.

3 Section 32-417 governs signage in agricultural districts. The following analysis considers each of the
4 six (6) standards as they relate to the sign:

5
6 *(a.) Types of Signs Allowed. No signs shall be permitted in an agricultural district except the*
7 *following enumerated signs, if authorized by sign permit or other permit as provided in this*
8 *division: nameplates, real estate sales, ground, political, temporary, wall, identification and*
9 *business signs.*

10
11 Pursuant to this standard, the “WINERY” sign is a wall sign which is a permitted sign type, provided
12 that the appropriate permit is obtained. As stated, the Applicant installed the sign prior to obtaining a
13 permit and is now seeking an after-the-fact permit. Note that the description implies that the purpose
14 of the sign is for identification purposes.

15
16 *(b.) Maximum surfaces allowed. No sign shall be constructed as to have more than two surfaces.*

17
18 The wall sign is installed flat/parallel to the façade of the structure and is only visible from one side.
19 **The proposed sign has one surface and meets this standard.**

20
21 *(c.) Number of each type of sign allowed per lot frontage. One of each of the permitted type of*
22 *signs, except temporary signs where two will be permitted and political signs where once for*
23 *each candidate will be permitted.*

24
25 The proposed sign is not located in or near the frontage of the subject property which faces south
26 towards 117th Street N. As stated, the sign has been installed on the east façade of the
27 tasting/production building, which faces away from the front of the property on 117th Street North
28 (Figures 1 and 2). However, the sign is visible from 117th Street N., as it curves north approximately
29 1,400 feet east of the subject property (See Figure 2). Due to topography and lack of vegetation, the
30 sign is visible across the rear, front and side yards of adjacent properties creating a quasi-corner
31 condition. While it is visible from the side and rear yard, the sign is not on the frontage of the lot
32 which is inconsistent with the intent and purpose of the identification sign. **Staff believe that this**
33 **requirement is not met since the requested sign is not located in the lot frontage, does not**
34 **identify the business name, and is visible across the yards of adjacent rural residential**
35 **properties.**



Figure 1. View of the subject property from 117th Street North/Hamlet Avenue North
Source: Google Maps



Figure 2. Approximate sign visibility from 117th Street North/Hamlet Avenue South

Source: Washington County GIS

(d.) Size restrictions. Not more than a total of 32 square feet with an eight-foot maximum for any dimension, except as otherwise restricted in this section. Total square feet of permitted signs per lot or parcel shall not exceed 100 square feet.

Per the submitted application materials, the sign is 3' in height and 18'-7" in width. It is therefore approximately 55-square feet in size, which exceeds the 32-square foot maximum. It also exceeds the 8' length maximum. While the total square feet of signage on the subject property does not exceed the 100-square foot maximum, **the sign does not meet the area or length requirements and therefore does not meet the intent of this regulation.**

(e.) Height restrictions. The top of the display shall not exceed ten feet above grade.

As part of the 2021 CUP Amendment process, the Applicant was required to submit architectural plans for the proposed tasting/production building. Figure 3 contains the dimensions of the structure, along with the approximate size and location of the sign based on the Applicant's submitted imagery. As shown, the Winery sign is located approximately 15-16' from the ground plane. Staff assumes that height of the sign is intended to be high enough to be visible from across the adjacent properties from the roadway. The purpose of the regulations established in (d) and (e) of the sign code is to minimize the visual impact of signage in the agricultural/rural residential areas, and the sign as designed is intended to maximize the visual impact. **The sign location is approximately 15-16' above the ground plane which exceeds the requirement by 50-60%. Staff determines that this standard is not met.**



REAR ELEVATION
1/4"=1'-0"

Figure 3. East/rear elevation of tasting/production building with approximate size and location of proposed signage (Note Staff superimposed the Winery Sign on the architectural elevation at the approximate location based on the images submitted.)

(f.) Setback. Any sign over two square feet shall be setback at least ten feet from any lot line.

Per the submitted plan set, the east façade of the tasting/production building is approximately 120' from the easterly property line (Figure 4). **Staff determines that this requirement is met.**

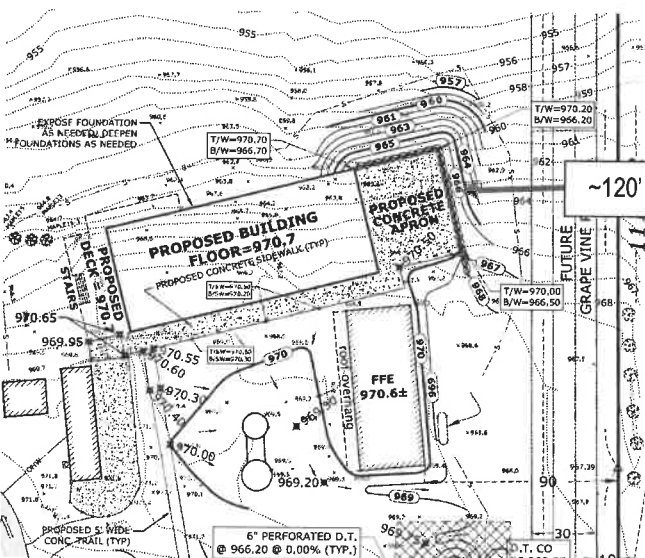


Figure 4. Site plan and approximate signage setback from easterly property line

Section 32-413 further establishes requirements for electrical (illuminated) signs and states the following:

All signs and displays using electric power shall have a cutoff switch on the outside of the sign and on the outside of the building or structure to which the sign is attached. No electrically illuminated signs shall be permitted in a residential or agricultural district.

The proposed sign is electrically illuminated with LED lights. As stated within the requirement, no illuminated signs (or backlit) are permitted within residential or agricultural district. Previous Councils have documented that the purpose of prohibiting such signs is to minimize potential adverse impact to surrounding properties, to maintain dark skies, and to protect rural residential uses. The subject property is in an agricultural zoning district with predominant rural residential uses and the illuminated sign is visible from adjacent residential rear yards and front yards. **Staff finds that this standard is not met.**

1 **Staff Recommendation:** Staff finds that the “WINERY” sign only meets three (3) of the six (6)
2 standards established in Section 32-417 for signs in the A-1 zoning district and it does not meet the
3 standard established in Section 32-413 for electrical (illuminated) signs. Staff recommends denial of
4 the request to amend the CUP to allow for the installation of the illuminated, wall-mounted
5 “WINERY” sign. Since the sign has already been installed, staff further recommends removal of the
6 sign and all electrical components associated with the sign.

7 The Applicant is requesting to use the concrete apron on the east side of the tasting/production
8 building as a “Crush Pad.” Per the Applicant’s narrative, this area will be used for deliveries and
9 processing. Condition #14 of the Amended 2021 CUP notes the following regarding the concrete
10 apron:

- 11
- 12 1. *The concrete apron shown extending from the east elevation and barn doors shall not be used*
13 *for any formal or informal gathering space. The apron shall only be used for access to the*
14 *storage area and associated staging of materials/crops.*

15

16 The concrete apron is approximately 100-feet from the easterly property line and 150-feet from the
17 principal structure on the adjacent residential property. Given the existing topography, vegetation,
18 and proximity to the neighboring lot, exterior activities on the concrete apron will not be adequately
19 screened. Any deliveries and processing are likely to generate sounds and disturbances that will
20 negatively impact the adjacent residential property.

21 As stated, operating in compliance with the existing conditions and limitations established by the
22 CUP demonstrates consideration of the neighboring property. Recent violations have adversely
23 affected the surrounding area. Staff finds that the proposed use of the concrete apron or “crush pad” is
24 unreasonable given violations of the existing CUP over the past year.

25 **Staff Recommendation:** Staff recommends denial of the request to amend the CUP to allow for use
26 of the “crush pad” for deliveries and processing.

27 The Applicant is requesting to install an indoor and outdoor ambient surround sound system.
28 Condition #26 of the Amended 2021 CUP states the following regarding music amplification:

- 29
- 30 26. *No amplification of music shall be permitted outdoors, including within the outdoor gathering*
31 *spaces. Amplification of music shall be permitted inside the facilities only. All sound and*
32 *noise shall be regulated by the MPCA’s noise standards for decibels and use.*

33 The subject Property and winery use is adjacent to rural residential uses on the east and west side of
34 the property. During the initial CUP processes in 2020 and 2021, discussion regarding noise and
35 intensity of activity on the site was discussed extensively. Concerns regarding the activity level and
36 potential adverse impacts on adjacent residential uses and enjoyment of their properties were
37 identified. As a result, the condition regarding sound amplification was included to mitigate the
38 potential effects of the winery operation on adjacent residential uses.

1 The request to amend this condition is unreasonable given that the operator has been in violation of
2 the current CUP conditions. The City typically considers amendments to existing CUPs when the
3 operator/owner is in full compliance with the terms of their issued CUP.

4 **Staff Recommendation:** Staff recommends denial of the request to amend the CUP to allow for the
5 installation of an amplified sound system and recommends that the existing CUP condition remain in
6 place.

7 As provided in the analysis above, given that the owner/operator is in violation of the current CUP,
8 Staff recommends that no further intensification of the use be permitted until the property is brought
9 into full compliance. In similar past situations, the City has determined that a conditional use must be
10 in good standing for a minimum of a year before additional flexibility or further intensification of use
11 be considered for amendment.

12 Given that this CUP amendment was primarily initiated due to a violation related to the installation of
13 the "WINERY" wall sign without proper permits, the following CUP Amendment analysis
14 specifically addresses the proposed after-the-fact sign present on the property.

15 Section 32-146(a) governs standards for Conditional Use Permits. The following analysis considers
16 each relevant standard for the proposed CUP amendment requests:

- 17
18 1) *The proposed use is designated in section 32-245 as a conditional use for the appropriate*
19 *zoning district.*

20 The existing Two Silo operation is a permitted condition use within the A-1 zoning district. The
21 City's ordinance further permits the installation of a sign for conditionally permitted businesses
22 provided the appropriate permits are obtained. As previously noted, the ordinance guides the review
23 of conditionally permitted signs to align with the spirit and intent of the zoning district in which the
24 property is located.

25 As provided in the prior analysis, the requested wall-mounted, illuminated "WINERY" sign does not
26 meet the requirements established for signage within the agricultural zoning districts.

27 A business wall sign may be permitted to identify the Two Silos operation, but the installed sign does
28 not meet the general guidance for business signs as stated. The purpose and intent of using the
29 agricultural/rural residential district sign standards as guidance is to minimize potential adverse
30 impact to adjacent agricultural and rural residential uses. The existing sign fails to meet the purpose
31 as it exceeds the area, height and is illuminated which are all inconsistent with the ordinance
32 requirements.

- 33
34 2) *The proposed use conforms to the city's comprehensive plan.*
35

36 The site is guided Rural Residential/Agricultural (RR/AG) in the City's adopted Comprehensive Plan.
37 Properties within the RR/AG land use designation are generally described as supporting rural,
38 agricultural, and rural residential uses. Hobby farms, horse boarding and training facilities, and other
39 rural accessory uses are also encouraged in this land use designation. The City's ordinances

1 conditionally permit resorts, seasonal businesses, and rural event facilities provided certain
2 performance standards are met. Agricultural production, such as that associated with the
3 grapes/vineyard, are a permitted use. The City Council determined that the Two Silo Farmhouse and
4 Resort was consistent with the stated objectives in the Comprehensive Plan during both the 2020 and
5 2021 CUP application processes. The proposed amendment to the 2021 Amended CUP does not
6 change the intended use for a Farm Winery and Resort.

7 The Comprehensive Plan also identifies the following relevant goals:

8 *Preserve and protect the City's rural residential character and quiet quality of life.*

9 *Support uses and development that protects the **night sky**, minimizes traffic and maintains the City's*
10 *open space and scenic views.*

11 *Preserve and protect agricultural land and facilities, agricultural lifestyles, and encourage hobby*
12 *farms and commercial agricultural uses within the City.*

13 Supporting and encouraging agricultural uses like the Two Silos Farmhouse aligns with the City's
14 goals and objectives. Therefore, some flexibility is warranted; however, the issued CUP provides the
15 conditions under which the business can operate compatibly with adjacent residential uses. While it
16 may be reasonable to amend certain conditions in the future, the operator must demonstrate
17 compliance with the conditions and demonstrate they are a good neighbor before such additional
18 flexibility should be permitted.

19 Staff finds that the illuminated "WINERY" sign is in conflict with the City's goal to protect the rural
20 residential character, quiet quality of life, and night sky. As stated, the sign as proposed would be out-
21 of-character for the area, given that it would be the only internally lit, wall mounted sign in the
22 neighborhood and zoning district. Furthermore, uses in the surrounding area are largely characterized
23 by hooded or downcast lights, which limit the amount of light pollution produced.

24
25 3) *The proposed use will not be detrimental to or endanger the public health, safety or general*
26 *welfare of the city, its residents, or the existing neighborhood.*

27 The City received a complaint regarding the sign and its illumination which is visible from adjacent
28 properties rear, side and front yards. Code enforcement determined that the light produced by the
29 illuminated sign did not comply with the ordinance standards and was in violation of the existing
30 CUP. The lit sign is clearly visible from adjacent residential structures adversely affecting their right
31 to enjoyment of their property. Furthermore, given that the sign is visible from 117th Street N at the
32 curve a significant distance from the operations, the illumination could cause a distraction to drivers
33 and impact the general safety and welfare of travelers on the nearby road since the access into the site
34 is more than 1,400 feet from where the sign is visible.

35
36 4) *The proposed use is compatible with the existing neighborhood.*
37

38 Staff conducted an analysis of the surrounding neighborhood and similar uses within the agricultural
39 zoning district. It was determined that the proposed illuminated wall-mounted sign is not in character

with the existing neighborhood and that no other businesses in the zoning district have similar signage to promote their business. Comparable businesses generally have wooden ground signs that are either unlit or have landscape (ground) lighting pointed directly at the surface of the sign, as opposed to being self-illuminated or back-lit (Figure 5). **Staff determines that the proposed wall-mounted internally lit/back lit sign is not compatible with the existing neighborhood.**



Figure 5. Signs for comparable businesses in agricultural zoning districts

Photo Source: Google Maps

- 5) *The proposed use meets conditions or standards adopted by the city through resolutions or other ordinances.*

As stated, the illuminated wall sign only meets three (3) of the six (6) standards established in Section 32-417 for signs in agricultural districts. It also does not meet the requirements for electrical (illuminated) signs established in Section 32-413. **Staff determines that this standard is not met.**

- 6) *The proposed use will not create additional requirements for facilities and services at public cost beyond the city's normal low-density residential and agricultural uses.*

The proposed sign will not create additional requirements for facilities and services. **Staff finds that this standard is met.**

- 7) *The proposed use will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to people, property, or the general welfare because of production of traffic, noise, smoke, fumes, glare, odors or any other nuisances.*

Given the existing topography and vegetation, exterior lights and sounds produced on the subject property will not be adequately screened from adjacent residential uses. The proposed illuminated wall sign will impact the general welfare of the surrounding neighborhood because it will generate glare and disrupt the night sky. **Staff determines that this standard is not met.**

- 8) *The proposed use will not result in the destruction, loss or damage of natural, scenic or historic features of importance.*

As stated, the illuminated “WINERY” sign conflicts with the City’s goal to protect the rural residential character, quiet quality of life, night sky and scenic views of the area. The illuminated sign will disrupt the natural, scenic quality of the area and be out-of-place with the agricultural/rural residential character of the surrounding neighborhood. **Staff determines that this standard is not met.**

9) *The proposed use will not increase flood potential or create additional water runoff onto surrounding properties.*

The proposed sign is wall-mounted and will not increase the amount of impervious area on the site or create additional water runoff. **Staff finds that this standard is met.**

The City Engineer is reviewing the attached submitted materials. Staff will provide a verbal update at the City Council meeting if any additional concerns are identified.

The proposed amendment does not require review by any other agency unless the City Council determines that intensification of the use is appropriate. If the Council determines that the increase in occupancy is acceptable, additional review by the Rice Creek Watershed District may be required related to the expansion of the impervious surface for the parking lot. However, if the Council determines that the intensification of use is denied then no site improvements are permitted and no other agency review is needed.

The City Council may consider the following actions:

- Approve the request to amend the CUP with conditions; or,
- Deny the request with findings; or,
- Table the request and ask for additional information from the Applicant.

Staff recommends denial of the request to amend the Conditional Use Permit to: 1) install a “WINERY” wall sign (after the fact); 2) illuminate the wall sign on the property (after-the-fact); 3) increase the business occupancy; 4) increase the parking lot to accommodate the increased occupancy; 5) utilize the crush pad for additional activities; and 6) install a sound system. Staff requests direction from the City Council to prepare a resolution of denial with findings. The following draft findings are provided for your review and consideration:

- The “WINERY” wall sign was installed without a permit and in violation of the existing Conditional Use Permit for the Two Silo business operation.
- The illumination of the wall sign is out of character with the surrounding area and does not comply with the adopted goals and objectives of the 2040 Comprehensive Plan.
- The illuminated wall sign adversely impacts the surrounding neighborhood and adjacent residential uses.
- The illuminated wall sign could cause a distraction to drivers and impact the general safety and welfare of travelers on the nearby road.

- 1 • The wall sign does not comply with the adopted zoning ordinance.
- 2 • Increasing occupancy is unreasonable given that the operator has been in violation of the
- 3 current CUP conditions.
- 4 • Expansion of parking is unreasonable given that the operator has been in violation of the
- 5 current CUP conditions.
- 6 • The overflow parking area is not an improved dustless surface and is not designed as a
- 7 permanent parking lot for the business. As submitted, no details regarding the parking lot
- 8 were included with the Application.
- 9 • Expanding the parking lot at this time is unnecessary since current site improvements support
- 10 the current CUP occupancy loads.
- 11 • Use of the concrete apron or “crush pad” is unreasonable given that the operator has been in
- 12 violation of the current CUP conditions.
- 13 • Installation of an ambient sound is unreasonable given that the operator has been in violation
- 14 of the current CUP conditions.
- 15 • In similar past situations, the City has determined that a conditional use must be in good
- 16 standing for a minimum of a year before additional flexibility or further intensification of use
- 17 be considered for amendment.
- 18

19 City Attorney Vivian stated the Planner did a very thorough analysis of the application. The City is
20 also going through litigation with the property in question. He stated he supports the
21 recommendation of denial of the application as they are not in compliance.
22

23 **Council Member Rog made a motion to open the public hearing at 7:34 p.m. Council Member**
24 **Cremona seconded the motion. Motion carried unanimously.**
25

26 Mr. Jeff Schafer, 8688 Jamaca, came forward and thanked the City Planner for the thorough report.
27 He stated he agrees with the denial as it is a very narrow property and activities are on the east and
28 west end of the property.
29

30 Mr. Ken Kramer, 11810 Hamlet Ave. N, came forward and stated his property is adjacent to this
31 property. He stated he supports full denial of the application due to the behavior of the property
32 owners. He stated he does not want to see any expansion of the business and music is currently
33 already too loud.
34

35 Ms. Chris Lamarka, 12174 Upper Heather Ave. N, came forward and stated she shares a property line
36 with Two Silos and it was very upsetting to see that sign installed. She stated she can see the sign all
37 time and it illuminates her entire house. She noted she has accepted the winery there and the property
38 itself does look better.
39

40 Staff advised Mr. Steve Brown, 7080 117th St. N, submitted comments advising they are adamantly
41 opposed to the application as they are not in compliance with several issues.
42

1 Staff advised McGraw Law Firm, on behalf of the residents Charles and Tami Lucious, agree with
2 the recommended denial of the application and fully support denial of all the requested amendments
3 to the CUP.
4

5 **Council Member Rog made a motion to close the public hearing at 7:45 p.m. Council Member**
6 **Cremona seconded the motion. Motion carried unanimously.**
7

8 **Council Member Rog made a motion to deny the application based on the findings and direct**
9 **staff to draft Resolution of denial. Council Member Cornett seconded the motion. Motion**
10 **carried unanimously.**
11

12 **City Attorney, Nick Vivian (no action items)**

13 **NEW BUSINESS**
14

15 **Consideration of Resolution No. 2025-05, Appointment of Council Vacancy – Mayor Giefer**
16 **provided the background regarding the process of appointing to a vacant Council seat. He asked the**
17 **Council Members for recommendations.**
18

19 **Council Member Cornet made a motion to adopt Resolution No. 2025-05 with the appointment**
20 **of Mr. Greg Anderson to the vacant Council seat. Council Member Rog seconded the motion.**
21 **Motion carried unanimously.**
22

23 **UNFINISHED BUSINESS**

24 **DISCUSSION ITEMS (no action taken)**

25 **Staff Updates (updates from Staff, no action taken)**

26 **City Council Reports/Future Agenda Items**

27 It was the consensus of the Council to include on a future meeting agenda 2025 Appointment List,
28 Public Comment and Planning Commission.

29 **Stillwater Public Schools Board Meeting, Thursday, February 13th, Stillwater City Hall, 7:00**
30 **p.m.**

31 **Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.**

32 **President's Day, Monday, February 17th, 2025**
33

34 **ADJOURNMENT**

35 **Council Member Cornett moved to adjourn at 8:15 p.m. Council Member Cremona seconded**
36 **the motion. Motion carried unanimously.**
37

38
39 These minutes were considered and approved at the regular Council Meeting March 4th, 2025.

1
2
3
4
5
6
7
8

Kim Points, Administrator/Clerk

Jeff Giefer, Mayor

DRAFT

**City of Grant
2025 Appointment List**

Schedule A

City Council Member Appointments/ Per Council Members	
Deputy Mayor	
Emergency Preparedness	Washington County/City Staff
Metro Council	City Staff
Newsletter Editor	City Staff
Roads Supervisor	KEJ/Staff
Oak Wilt	DNR
Weed Control	Jeff Giefer
Browns Creek Watershed	LHB
Valley Branch Watershed	LHB
Rice Creek Watershed	LHB
Carnelian-Marine Watershed	LHB

Staff and Consultant Appointment/Per Council Members	
Service Providers	
Attorney	Eckberg Lammers
Administrator/Clerk	Kim Points
Engineer	LHB
Inspector	Jack Kramer
Planner	SHC
Treasurer	Sharon Schwarze
Animal Removal	KEJ
City Assessor	Patrick Poshek
City Auditor	LarsonAllen
Brushing	KEJ/Kline Bros./Woodchuck
Depository	First Resource Bank/Wells Fargo
Fire Marshall (Co-Marshalls)	Ken Johnson/Joyce Welander
Roadside Mowing	KEJ
Newspaper	White Bear Press
Recycling	Waste Management
Road Grading	Kline Bros.
Roadside Trash	KEJ
Septic Permits	Washington County
Snow Plowing	KEJ
Tree Service	KEJ/Kline Bros.
Video Technician	Ken Ronnen
Animal Control Liaison	City Office/Washington County Sherriif
Webmaster	Halogen

Investment Advisor

Volunteer Appointments	
Cable Commissioner	Jeff Giefer/Administrator/Clerk
Ballfield	Administrator/Clerk
Heritage Preservation	Joyce Welander
Roadside Cleanup Day	Administrator/Clerk



8390 Lofton Ave N
Stillwater, MN 55082
(651) 439-7128
GasthausBavarianHunter.com

City of Grant
ATTN: John Rog
(612) 867-1218

VIA E-MAIL
johnrogjr@gmail.com

RE: Proposal

Sehr geehrte Councilman Rog,

thank you for the invitation to participate with the City Of Grant in its relaunching of the township tractor parade on Saturday, September 7, 2024. Per our discussions, the City expects around 50 entrants, each of which would check-in at/near the Gasthaus Bavarian Hunter before the parade begins at 11am. It is my understanding the parade would start at the Gasthaus, make its way around the city, and end back at/near the Gasthaus somewhere around 12:30pm. Upon returning after the conclusion of the parade, each entrant would (along with an average of 3 guests) have lunch at Gasthaus and the City would present awards. The City expects that guests would leave somewhere around 2pm or so. The City has requested an estimate to host these approximate 200 guests at the Gasthaus.

First, the City requests to use the field East of the Gasthaus across the street from Lofton Avenue to park entrants' cars, trailers, and tractors as well as stage for the parade and possibly check-in entrants. The Gasthaus does not own this property. I have spoken with the property owners, and they are open to allowing the City to use the field to stage the tractors and park cars before the parade begins, as well as park tractors after the parade ends, provided only that: the City provides a written indemnification keeping and holding the property owners free and harmless from any and all liability on account of injury to persons or damage to property occasioned by this use of the property owner's land; and the City provides its written assurance to, in and at its sole cost and expense, defend the property owners in any such case in which suit is brought against the property owners under circumstances where the agreement to indemnify applies.

Second, the City requests use of the lower-level of the Gasthaus and the immediately adjacent fenced-in exterior lawn (Landshuterstube) for lunch, a ceremony, and to possibly check-in entrants. There is a break in the fence at which the City would gate and limit access to the Landshuterstube to entrants of the parade and their guests. As this is a rain-or-shine event, the City desires a tent with tables and chairs on the exterior Landshuterstube lawn. The City also requests a buffet inside consisting of brats and hot dogs with buns and condiments, a side (like bags of chips), and non-alcoholic beverages (pop and water). The City further requests use of the indoor stage, speakers, and a microphone for announcements. The Gasthaus will staff a bartender at a bar so adults may purchase and consume alcoholic beverages; we will charge attendees separately for each such drink above and beyond the stated price (next).

The going rates for the aforementioned to accommodate the estimated 200 attendees is \$14,305.50 (not including drinks), with gratuity and sales tax included (see <<https://www.gasthausbavarianhunter.com/banquet-facilities/>> for further detail of our standard offering). To help the City in its relaunch of its township tractor parade, Gasthaus is willing to provide the aforementioned for \$5,500 provided payment in full is received by June 21, 2024, and the number of attendees is limited to 200.

Please kindly advise how you would like to proceed by contacting me via the telephone number first stated above.

Mit freundlichen Grüßen



James Martin
President, Schone's Inc.

May 16, 2024
(Dated)

1 Council Member Carr moved to deny any amendment to Chapter 32 Zoning regarding
2 Minimum Lot Size and Dimensional Standards of Existing Lots of Record. Council Member
3 Giefer seconded the motion. Motion carried unanimously.
4

5 City Attorney, Nick Vivian (no action items)
6

7 **NEW BUSINESS**
8

9 **Consideration of June 4, 2024, City Council Meeting Minutes** – Staff advised the minutes are not
10 on the consent agenda as Council Member Cornett should abstain.
11

12 **Council Member Carr moved to approve the June 4, 2024, City Council Meeting Minutes, as**
13 **presented. Council Member Rog- seconded the motion. Motion carried with Council Member**
14 **Cornett abstaining.**
15

16 **Consideration of Community Festival** – Staff advised a letter of proposal from a local business was
17 included in the packets.
18

19 City Attorney Vivan advised community events in smaller cities is always a challenge. The proposal
20 wants the City to indemnify the parking property making the City responsible and could be held
21 liable. The proposal also indicates the City would cover liability for the property the event would
22 take place. He stated this is biting off quite a bit of liability and there is also a lot of risk to the City.
23

24 City Attorney Vivan stated a boiler plate liability waiver could be put together for participants to sign
25 but it would be the responsibility of the City to put that together and it is not clear how that would be
26 administered. A discussion would have to be held with the owner regarding Dramshop liability.
27 Traffic control would be needed as well as parade staff. The concept of limiting attendees while
28 utilizing tax dollars could be a problem.
29

30 **Council Member Rog moved to proceed with the Community Festival, as presented. Council**
31 **Member Carr seconded the motion.**
32

33 **Council Member Carr made a friendly amendment to move forward with more information at**
34 **the next regular City Council meeting. Council Member Rog agreed to the friendly**
35 **amendment.**
36

37 **Motion carried with Mayor Huber voting nay.**
38

39 **Schedule 2025 Budget Work Session** – Staff recommended a 2025 budget work session be
40 scheduled on Tuesday, August 6, 5:30 p.m.
41

42 **Council Member Carr moved to schedule the 2025 Budget Work Session on Tuesday, August 6,**
43 **2024, at 5:30 p.m. Council Member Rog seconded the motion.**
44