

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2016-22**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
10000 LANSING AVENUE N
(LANDSVAGAR FARM)**

WHEREAS, Jon and Kirsten Yocum (“Applicant”) has submitted an application for a Conditional Use Permit to establish and operate a Nursery and Tree Farm to be located at 10000 Lansing Avenue North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the Applicant is constructing a new single family home on the Subject Property and such home will be their principal residence; and

WHEREAS, the Applicant is proposing to operate the Nursery and Tree Farm on approximately 0.99 Acres of the Subject Property; and

WHEREAS, the Nursery and Tree Farm use will be accessory to the principal use; and

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on July 19, 2016; and

WHEREAS, the Planning Commission requested additional information at the July 19th meeting and subsequently considered the Application on August 16, 2016 at their regular meeting; and

WHEREAS, on August 16, 2016 the Planning Commission recommended approval of the application subject to certain conditions; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and the Applicant’s request at a regular City Council meeting which took place on September 6, 2016.

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 Jon and Kirsten Yocum for a 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 Nursery - Commercial use is designated in Section 32-245, table of uses, as a conditional use for the Agricultural A2 zoning district.
- The use conforms to the city's comprehensive plan, and maintains large lot sizes in compliance with the guided land used designation.
- The use will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood if conditions of the permit are met.
- The use meets conditions or standards adopted by the city (through resolutions or other ordinances).
- The 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 use will not result in the destruction, loss or damage of natural, scenic, or historic features of importance.
- The use will not increase flood potential or create additional water runoff onto surrounding properties.

FURTHER BE IT RESOLVED that the following conditions of approval of the Conditional Use Permit shall be met:

1. The Applicant shall meet and comply with all of the conditions stated within the Conditional Use Permit dated September 6, 2016 (the "Permit").
2. The Permit shall be reviewed in compliance with the City's CUP review process, which may be on an annual basis.
3. Any violation of the conditions of the Permit may result in the revocation of said Permit.
4. All escrow amounts shall be brought up to date and kept current.
5. The Owner shall obtain any necessary permits from Washington County, Minnesota Department of Health, Browns Creek Watershed District, the MPCA or any other regulatory agency having jurisdiction over the proposed use, which are necessary in

carrying out its operations on the premises which may include a building permit and/or grading permit.

Adopted by the Grant City Council this 6th day of September 2016.

Tom Carr, 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 _____, 2016 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 _____, 2016.

Kim Points
Clerk
City of Grant