

VOID or 12-20-94

Not Recorded;
CONTINGENT ON
Soderberg
Purchasing
Property.

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION 92- 19

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO GENIE ARABIANS, INC. d/b/a ST. CROIX EQUESTRIAN CENTER FOR THE OPERATION OF A STABLE AND AN EQUESTRIAN BOARDING AND TRAINING CENTER.

WHEREAS, Genie Arabians, Inc. d/b/a St. Croix Equestrian Center (herein "Permittee") has submitted an application for a Conditional Use Permit in order to conduct a stable and an equestrian boarding and training center on the following described parcel of land:

That part of the East one-half of the Southeast Quarter of Sections 27, Township 29, Range 21, Washington County, Minnesota, being further described as follows:

Commencing at the East Quarter corner of said Section 27; thence South 0 degrees 42 minutes 48 seconds East (basis of bearings is the Washington County Coordinate System, South Zone) along the East line of said Section 27 a distance of 1318.00 feet; thence South 89 degrees 11 minutes 43 seconds West 33.00 feet to the point of beginning; thence South 0 degrees 42 minutes 48 seconds East parallel with said East line 598.00 feet; thence South 89 degrees 11 minutes 49 seconds West 660.00 feet; thence South 0 degrees 42 minutes 48 seconds East 660.00 feet to a point distant 60 feet Northerly of the South line of said Section 27; thence South 89 degrees 11 minutes 49 seconds West along a line 60.00 feet Northerly of and parallel with the South line of said Section 27 a distance of 247.09 feet; thence North 0 degrees 48 minutes 11 seconds West 10.00 feet; thence South 89 degrees 11 minutes 49 seconds West along a line 70.00 feet Northerly of and parallel with said South line a distance of 378.33 feet to its intersection with the West line of the said East one-half of the Southeast Quarter of Section 27; thence along said West line North 0 degrees 42 minutes 43 seconds West 1908.76 feet; thence North 89 degrees 11 minutes 40 seconds East 1185.39 feet to a point 33.00 feet Westerly of the East line of said Section 27; thence South 0 degrees 42 minutes 48 seconds East along a line 133.00 feet Westerly of and parallel with said East line a distance of 660.82; thence North 89 degrees 11 minutes 43 seconds East 100.00 feet to the point of beginning (herein the "Subject Property").

WHEREAS, Section 301.070D.b.(3) and (5) of the Lake Elmo Municipal Code requires a Conditional Use Permit to operate a stable and an equestrian boarding and training center in the City of Lake Elmo; and

M/S/P Conlin/John - to direct the city administrator to send a letter to the City of Oakdale informing them of Lake Elmo's motion and request the City of Oakdale delay action until we had a chance to take official action.. (Motion passed 4-0).

John Bodey, adjacent neighbor, said he represents his wife and neighbors; such as Lorraine Olson Annette Pierre and Rose Armstrong, who have indicated they would not sign any petition that would remove their property from Lake Elmo. There is a meeting scheduled before the Oakdale City Council on Tuesday, December 27, 1994 where Armstrong Farm will make its presentation for annexation. Bodey hoped the city would have someone there to represent the city. He hoped the city would continue to work with the Armstrongs to alleviate this non conforming use.

C. Request to withdraw Genie Arabians Inc. request for rezoning and Conditional Use Permit

In September, 1992, the City Council conditionally approved a rezoning from RR to AG and a CUP for Genie Arabians, Inc. who has proposed a stable operation on the property located at the Northwest corner of County Road 10 and County Road 19. At the applicant's request, neither the rezoning nor the CUP would be recorded unless they completed the purchase of the land.

The City received a formal written withdrawal, dated November 11, 1994, of Genie Arabians Inc.'s request for the rezoning. The ordinance 8070 rezoning the property has never been published, nor has the Resolution (92-19) ever been recorded.

M/S/P Conlin/Mottaz - that the action taken by the City Council on September 1, 1994 relating to Ordinance 8070 (rezoning from RR to AG) and Resolution 92-19 approving a stable operation is null and void based on the request of Genie Arabians Inc. in a letter dated November 11, 1994. (Motion passed 4-0).

D. Request to withdraw Driscoll & Daughter's request for Conditional Use Permit for Recording Studio

In August, 1993, the City Council adopted Ordinance 8087 amending the uses permitted by Conditional Use Permit in the Agricultural Zoning district to include Recording Studios which was done in response to the application of Driscoll & Daughter/Lenny Hansen. The Council also adopted Resolution 93-65 granting the CUP to Driscoll and Daughter for a Recording Studio. The applicants asked that the CUP be approved; contingent upon the successful purchase of the Lenny Hansen property on I-94. The ordinance was published, but the resolution was never recorded with Washington County.

The City received a formal request, dated October 10, 1994, from Richard Driscoll for withdrawal of a CUP for a recording studio at 10824 Hudson Blvd.

M/S/P Conlin/John - to direct the Planning Commission to investigate if it wants to continue to allow recording studios as a Conditional Use in Ag zoning district. (Motion passed 4-0).