

City of Lake Elmo  
Washington County, Minnesota

Resolution 96- 9

A Resolution Denying the Request of Thomas G. Armstrong, Thomas P. Armstrong and Jodi Armstrong for an amendment to an existing Conditional Use Permit

WHEREAS, by application dated June 9, 1994, Thomas G. Armstrong, Jodi M. Armstrong and Thomas P. Armstrong (herein collectively "Armstrong") requested that the City amend the Armstrong Conditional Use Permit in a manner that would allow the expansion of the Armstrong's commercial storage business on Agriculturally zoned property; and

WHEREAS, on June 21, 1994, the Lake Elmo City Council adopted Ordinance 8097 repealing the City's Alternative Agricultural Use Regulations ("Alt. AG. regs."); and

WHEREAS, by repealing the City's Alt. AG. regs, the City placed the existing Armstrong commercial storage business in a legal non-conforming use category which would allow the Armstrong commercial use to continue but not expand; and

WHEREAS, the Armstrong's thereafter requested the City to continue with its review of the Armstrong application and agreed to various continuances in order to allow the City Council to re evaluate its decision to repeal the Alt. AG regs.; and

WHEREAS, the City Council has reviewed proposals to re institute some form of Alt. AG regs and have determined in its discretion that it is not in the City's best interests to allow additional non-agricultural uses on agriculturally zoned property.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the Armstrong application to amend its Conditional Use Permit for the following reasons:

1. The requested amendment would facilitate an expansion of a legal non-conforming commercial storage business.
2. The City's Development Regulations do not permit this type of expansion.
3. It is not in the best interests of the City, nor is it legally permissible for the City without amending its Development Regulations, to permit an expansion to a commercial storage business on property located in the City's Agricultural zones.

4. An expansion of this type of use is contrary to pending Comprehensive Plan and Zoning Amendments being reviewed by the City.

Adopted by the Lake Elmo City Council this 21st day of May, 1996.

  
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Wyn John, Mayor

Attest:

  
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Mary Kueffner, City Administrator