

Agreement Reached Allowing a Small House for Homeless on Grounds of St. Cloud Church

October 2, 2017

MINNEAPOLIS, Minn. (OCT. 2, 2017) — Gray Plant Mooty attorneys announced today that an agreement has been reached allowing a small house for the homeless to be built and remain on the St. John's Episcopal Church property in the City of St. Cloud. The agreement resolves the church's lawsuit filed more than a year ago.

The resolution will green-light a new, 384-square-foot structure that will include a foundation, electric heat, and water and sewer hookup to the church's utilities. This "accessory building," approved by the city will replace a 132-square-foot structure that the church had placed on its property to serve as a home for the homeless—allowing one individual at a time to use it as a residence until finding more permanent housing.

"The church's ultimate goal from the start was to address homelessness by providing temporary housing, shelter and support that leads to transformational housing," says Bob Feigh, attorney at Gray Plant Mooty and based in St. Cloud. "This is an important victory for the community to allow the church to ultimately fulfill its mission of supporting people in need."

Feigh partnered with Sam Diehl, attorney at Gray Plant Mooty and based in Minneapolis, to represent the church. The attorneys note the case was based on the Religious Land Use and Institutionalized Persons Act, passed by Congress in 2000, which gives churches greater rights to use their property free of zoning interference.

The church filed a lawsuit in August 2016 when the city denied the church from having and using a small structure on its property to serve as temporary residence for the homeless; at the time, a homeless individual was living in the structure on the church's property.

A groundbreaking for the new tiny home for the homeless is being planned for 10 a.m., Tuesday, Oct. 3, at St. John's Episcopal Church. Students from St. Cloud Technical and Community College will help construct the home (with essentially donated labor) as part of their course curriculum. The building project is estimated to cost more than \$40,000 and the church plans to establish a GoFundMe site for donations.



The original structure on wheels was donated to the church by the Central Minnesota Jobs & Training Services: Youth Build out of Willmar. The St. Cloud Coalition of Homeless Men had hoped to place a resident in the structure when the house was donated to the group.

Gray Plant Mooty and attorney Sam Diehl have helped several churches resolve concerns related to local zoning-regulation conflicts.

About Gray Plant Mooty

Gray Plant Mooty is recognized as one of the leading law firms in Minnesota and one of the top franchise firms in the world. Our roots go back to 1866. Today, we are a 185-lawyer, full-service firm with offices in Fargo, N.D., Minneapolis, St. Cloud, Minn., and Washington, D.C. Our attorneys and staff provide exceptional client service and value, and comprehensive legal services on a regional, national and global basis. Learn more at www.gpmlaw.com.