

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #11-12-___

A RESOLUTION ADOPTING FINDINGS OF FACT #___ RELATING TO A REQUEST FROM ROBIN VEACH FITZGERALD FOR A HOME OCCUPATION PERMIT TO OPERATE A YOUTH HORSE RANCH FOR SECOND CHANCE YOUTH RANCH ON THE PROPERTY LOCATED AT 7202 181ST AVE NW.

WHEREAS, the City of Ramsey received an application from Robin Veach Fitzgerald requesting a home occupation permit to operate a youth horse ranch outdoors and in a detached accessory structure located on the property generally known as 7202 181st Ave NW and legally described as follows:

The east 231 feet of the Northeast Quarter of the Northeast Quarter of Section 4, Township 32, Range 25, Anoka County, Minnesota, Subject to easement of record.

(the "Subject Property")

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA that the findings of fact relating to the request are determined to be as follows:

1. That on November 4, 2011, Robin Veach Fitzgerald, herein referred to as the "Applicant", properly applied for a home occupation permit to operate a youth horse ranch for Second Chance Youth Ranch (the "Home Occupation") outdoors and in a detached accessory structure with eight (8) non-resident employees working on a volunteer basis on the **Subject Property**.
2. That the **Applicant** appeared before the Ramsey Planning Commission for a public hearing pursuant to Section 117-51 of the City Code on December 1, 2011, and that said public hearing was properly advertised.
3. That the **Subject Property** is zoned R-1 Residential (Rural Developing), and the surrounding parcels are zoned R-1 Residential (Rural Developing).
4. That the **Applicant** owns two (2) adjacent parcels totaling approximately 11.93 acres in size (6.91 acres +5.02 acres) and are surrounded by lots of similar sizes.
5. That the **Applicant** shall occupy and own the dwelling unit on the site of the **Home Occupation**.
6. That the **Home Occupation** is located in a detached accessory structure located on the **Subject Property**.
7. That there will be at least 400 square feet of garage space reserved for indoor residential parking and storage related to the residential use on the **Subject Property**.
8. That there is exterior evidence of the existence of the **Home Occupation** on the **Subject Property** including the proposed outdoor activities. In addition, the **Applicant** proposes to use feed, tack, and other equipment such as tractors to operate the Home Occupation.
9. That there is no interior or exterior business signs or display related to the **Home Occupation** on the **Subject Property**.
10. That the **Applicant** states that there shall be six (6) to eight (8) attendees per day, with one (1) volunteer per attendee (total of six [6] to eight [8] volunteers). In addition, the **Applicant** states

that there will be an additional five (5) general volunteers, for a total of eleven (11) to thirteen (13) volunteers.

11. That there shall be more than two (2) vehicle trips per 24 hour period related to the **Home Occupation**, in excess the permitted two (2) vehicle trips per standard eight (8) hour business day. ~~However, there will not be more than~~ ~~or sixteen~~ twenty (20) vehicle trips within a twenty-four (24) hour period, as established in City Code Sec. 117-351 (Home Occupations).
12. That the **Applicant** has stated additional parking and maneuvering areas are required to accommodate off-street parking.
13. That the **City** finds the **Home Occupation** does not constitute a fire hazard to neighboring residences.
14. That the **Home Occupation** does not include operations related to internal combustion engines, body shops, ammunition manufacturing, motor vehicle repairs or sale.
15. That the **Home Occupation** does employ eight (8) persons that do not live in the dwelling unit that will be employed on a volunteer basis on the **Subject Property**.
16. That the **Home Occupation** does involve operating methods that include transactions with the public (customers, clients, consultants, subcontractors, etc.) on the **Subject Property**.
17. That the **Home Occupation** does not conduct retail sales on the **Subject Property**.
18. That the **Home Occupation** business hours are proposed to be ~~_____~~ 8:00 a.m. to _____, 5:00 p.m. ~~one (1) to two (2)~~ four (4) days per week, restricted to Monday through Friday (no weekends).
19. That all structures shall comply with all applicable codes, including, but not limited to, building, fire and zoning.
20. That the **City** finds the **Home Occupation** operates beyond the parameters of subsections 1 and 2 of City Code Section 117-351 ~~a general and administrative home occupation permit requirements (117-351)~~ and therefore requires Planning Commission and City Council review and approval.
~~That the City finds that the Home Occupation operates/does not operate beyond the intent and parameters of 117-351 (Home Occupations) and finds that the Home Occupation is/is not low-level and is not a use typically found in a residential area.~~
21. That the Applicant has stated that there will be no services provided related to persons with disabilities as defined by Minnesota Statute on the Subject Property.
22. That the Applicant has stated that the Home Occupation will not require additional State or County Licenses.
- ~~21-23.~~ 23. That the Applicant has stated that appropriate background checks will be performed for all volunteers.
- ~~22-24.~~ 24. That the proposed use ~~will~~ will not adversely impact traffic in the area.
- ~~23-25.~~ 25. That the proposed use will ~~will not~~ be compatible with the residential neighborhood due to density and lot size of the surrounding lots.

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- | ~~24-26.~~ That the proposed use ~~will~~ will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
- | ~~25-27.~~ That the proposed use ~~will~~ will not substantially adversely impair the use, enjoyment, or market value of neighboring properties.
- | ~~26-28.~~ That the proposed use ~~will~~ will not be hazardous or disturbing to existing or future neighboring uses.
- | ~~27-29.~~ That the proposed use will/will not be served adequately by public facilities and services such as highways and streets.
- | ~~28-30.~~ That the proposed use ~~will~~ will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
- | ~~29-31.~~ That the proposed use ~~will~~ will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

where upon said resolution was declared duly passed and adopted by the Ramsey City Council on this the 13th day of December, 2011.

Mayor

ATTEST:

City Clerk