

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

RESOLUTION #12-06-_____

RESOLUTION APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT TO ALLOW FOR THE OPERATION OF A CHURCH IN THE H-1 HIGHWAY 10 BUSINESS DISTRICT BASED ON FINDINGS OF FACT #____ AND DECLARING THE TERMS OF SAME.

WHEREAS, Freedom Christian Church, hereinafter referred to as "Permittee", has properly applied to the City of Ramsey (the "City") for an interim use permit (the "Permit") to operate a Church in the H-1 Highway 10 Business District on the property located at 6937 Highway 10 legally described as follows:

That part of Lot 4 Auditors Subdivision No. 31 lying southeasterly of the following described line, beginning at a point on the southerly line of said Lot 520 feet northwesterly of Southeast Corner thereof, thence deflecting to right 88 degrees 338 feet plus or minus to northerly line of said lot and said line there terminate, except road subject to easement of record, Anoka County, Minnesota.

(the "Subject Property"); and

WHEREAS, the Planning Commission met on June 7, 2012, conducted a public hearing and recommended that the City Council approve/deny the request to operate a Church in the H-1 Highway 10 Business District;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

This permit is issued pursuant to Section 117-52 of the Ramsey City Code. The conditions of this **Permit** are as follows:

- 1) The **Permittee** is herein allowed to operate a Church and Parish Offices on the **Subject Property**.
- 2) The **Permittee** shall secure written permission from the **Subject Property** owner for the parking of up to fifty (50) vehicles on the **Subject Property**. Such written permission shall be provided to the **City**.
- 3) Parking along Highway 10 shall be prohibited at all times and any violation of such would cause the **Permit** to be revisited.
- 4) This **Permit** shall commence on the date of City Council approval of same and shall expire on July 1, 2017.

- 5) This **Permit** is applicable only to the operation of a church and parish offices on the **Subject Property**. The granting of this **Permit** does not allow for any other use that is prohibited in the H-1 Highway 10 Business District.
- 6) This **Permit** shall become null and void in the event the use granted under this **Permit** permanently ceases prior to the expiration date or upon the expiration date, whichever occurs first.
- 7) That all costs incurred by the **City** in administering and enforcing this **Permit** shall be the responsibility of the **Permittee**.
- 8) That the City Administrator or his or her designee shall have the right to inspect the **Subject Property** for compliance and safety purposes at any time.
- 9) That the failure of the **City** at any time to require performance by the **Permittee** of any provisions herein shall in no way affect the right of the **City** thereafter to enforce the same. Nor shall waiver by the **City** of any breach of any of the provisions hereof be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any provision itself.
- 10) That if any provision of this **Permit** shall be declared void or unenforceable, the other provisions shall not be affected but shall remain in full force and effect.
- 11) That this **Permit** shall not be considered modified, altered, changed or amended in any respect unless in writing and signed by the **City** and the **Permittee**.
- 12) That if the **Permittee** or its successors or assigns violates any material term or condition of this **Permit**, it is grounds for suspension or revocation hereof consistent with applicable law. Specifically, but without limiting the foregoing, the **City** may amend, suspend, or revoke this **Permit**, consistent with applicable law, if the City Council reasonably determines that continued operation of the facility places the public health, safety or welfare or the environment in jeopardy or creates a public nuisance due to odors, litter, debris or other nuisance factors. The change, alteration or amendment of any statute, regulation, ordinance or permit condition by any governmental authority other than the **City**, shall not excuse the **Permittee** from compliance with statutes, regulations, ordinances or permit conditions in effect on the date of the original issuance of this **Permit** unless compliance is waived or excused by the **City**.

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:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 26th day of June, 2012.

FREEDOM CHRISTIAN CHURCH

By: _____

As: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, _____, before me, a Notary Public, personally appeared _____, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

