

Councilmember introduced the following resolution and moved for its adoption:

**RESOLUTION #18-119**

**A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO ALLOW A COMMERCIAL DOG KENNEL ON THE PROPERTY GENERALLY KNOWN AS 17860 NOWTHEN BLVD NW AND DECLARING TERMS OF SAME**

**RECITALS**

1. Rebecca Bader, hereinafter referred to as the “Permittee”, has properly applied for a Conditional Use Permit to conduct a commercial dog kennel on the property generally known as 17860 Nowthen Blvd NW and legally described as follows:

The Southwest Quarter of the Northwest Quarter of Section 3, Township 32, Range 25, except road subject to easement of record, Anoka County, Minnesota

(the “Subject Property”)

2. That Merlin W. Hunt is the owner of the Subject Property.
3. The City of Ramsey received an application for a Conditional Use Permit for a Commercial Dog Kennel on the Subject Property on May 8<sup>th</sup>, 2018.
4. That the Subject Property is located within the R-1 Residential Rural Developing as are the properties to the north, east and west, while the properties to the south are R-1 Residential MUSA; the Subject Property is bisected by Nowthen Blvd on the east.
5. The Subject Property is 37.91 acres, with approximately 32 acres of wetland. Given the large proportion of wetland on the property it would be difficult to expand buildings on the Subject Property
6. That the Permittee and one other employee who will also reside on the property will be the sole employees of the home occupation.
7. That no other home occupations will operated on the Subject Property.
8. That boarding will be allowed 365 days a year with dogs remaining indoors between the hours of 9pm and 7am.
9. That the Commercial Dog Kennel will hold a maximum of 25 dogs in 4’ x 8’ enclosures each equipped with a dog bed and a water dish.
10. That there is an existing accessory building in the rear yard of the Subject Property measuring 30’ x 40’. The Permittee plans to renovate the accessory building to have

heating, air conditioning, ventilation, a small office/ check in area, 25 – 30 square foot dog kennels and insulation and sheetrock on the building walls.

11. That the Permittee is not proposing a new access point on to the Subject Property from Nowthen Blvd.
12. That the Permittee expects no more than 5 round trips per day from customers with the exception of major holidays.
13. That the existing accessory building is located approximately 500 feet from the nearest dwelling to the northwest, approximately 1000 feet from the nearest dwelling to the east and approximately 1200 feet from the nearest dwelling to the southeast.
14. That the Permittee intends to install a 6ft, 4200 square foot, chain link, enclosed fence, located in the rear yard of the subject property. The Permittee has indicated that dogs will not be allowed to run at large.
15. That the proposed Commercial Dog Kennel use would not produce noise, vibrations, air pollution, fire hazard, or noxious emissions that will disturb or endanger neighboring properties.

#### **FINDINGS OF FACT**

1. That the Commercial Dog Kennel use will/will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That the Commercial Dog Kennel use will/will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the Commercial Dog Kennel use will/will not be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
4. That the Commercial Dog Kennel use will/not not be hazardous to existing or future neighboring uses.
5. That the Commercial Dog Kennel use will/will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the Commercial Dog Kennel use will/will not create excessive additinoal requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the Commercial Dog Kennel use will/will not involve uses, activities and equipment 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.

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

That the Ramsey City Council hereby grants approval of a Conditional Use Permit (the "Permit") for a Commercial Dog Kennel on the Subject Property contingent upon the following conditions:

**CONDITIONS**

1. That this **Permit** allows for a Commercial Dog Kennel on the **Subject Property**.
2. That the **Permittee** shall obtain all necessary permits, including a building permit and a zoning permit, prior to any modifications to the building on the **Subject Property**.
3. That the **Permittee** shall comply with all applicable local, state, and federal regulations.
4. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
5. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
6. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
7. That this **Permit** shall automatically expire if the use is not initiated by June 26th, 2019 and adoption of the Zoning Text Amendment by the Ramsey City Council and issuance of a Building Permit for the tenant improvements shall be considered as initiating the use.

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 26<sup>th</sup> of June, 2018

**PERMITTEE**

Rebecca Bader hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA)

) SS.

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public, personally appeared \_\_\_\_\_, Rebecca Bader, 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

**PROPERTY OWNER**

Merlin W. Hunt hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: \_\_\_\_\_ Its: \_\_\_\_\_

STATE OF MINNESOTA)  
 ) SS.  
COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public, personally appeared Merlin w. Hunt, 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

