

Councilmember \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #22-041**

**A RESOLUTION APPROVING AN AMENDMENT TO A HOME OCCUPATION PERMIT AT 6025 177<sup>TH</sup> LANE NW**

**WHEREAS**, the City of Ramsey (the “**City**”) received an application from Derek Trout (the “**Permittee**”) requesting an amendment to his existing Home Occupation Permit (the “**Permit**”) due to expansion of his firearm sales business (the “**Home Occupation**”) in a detached single family home located on the property generally known as 6025 177<sup>th</sup> Lane NW and legally described as follows:

Lot 5 Block 2 Green Valley Estates 2<sup>nd</sup> Addition; subject to easement of record, Anoka County, Minnesota

(the “**Subject Property**”); and

**WHEREAS**, the **City** approved an administrative Home Occupation Permit in 2019 for online firearm sales on the **Subject Property**; and

**WHEREAS**, the **Permittee** owns and occupies the home on the **Subject Property**; and

**WHEREAS**, the **Permittee** has expanded and advertised operations of the **Home Occupation** that were not approved in the administrative Home Occupation Permit from 2019; and

**WHEREAS**, **City** staff were informed of the **Home Occupation** expansion through the **City**’s code enforcement process; and

**WHEREAS**, the **Permittee** has expanded the **Home Occupation** square footage by an additional 200 square feet, increasing from the original 200 square feet of the home to 400 square feet; and

**WHEREAS**, the **Permittee** has stated that the **Home Occupation** currently employs a single Ramsey resident that does not live in the dwelling unit on the **Subject Property**; and

**WHEREAS**, the **Permittee** has stated that the **Home Occupation** currently advertises and hosts Permit to Carry classes on the **Subject Property**; and

**WHEREAS**, the **Permittee** has stated that the **Home Occupation** will conduct business in the newly built pole barn on the **Subject Property**; and

**WHEREAS**, the **Permittee** has stated that the **Home Occupation** is conducting in-person sales and actions with customers or clients at the **Subject Property**, an additional expansion of the Home Occupation Permit; and

**WHEREAS**, the **Permittee** has stated that the **Home Occupation** has expanded the storage of firearms to storing and selling ammunition and accessories, in addition to firearms on the **Subject Property**; and

**WHEREAS**, the Ramsey Police Department have reviewed this request and do not have any concerns with the Home Occupation expansion; and

**WHEREAS**, the Ramsey Planning Commission reviewed the request and recommended the Ramsey City Council deny the amendment to the Home Occupation Permit on February 24, 2022;

**WHEREAS**, the Ramsey City Council tabled the request on March 8, 2022 with direction to staff to prepare an approval to amend the existing administrative Home Occupation Permit;

**WHEREAS**, the Permittee has reviewed the requirements of this Home Occupation Permit and agreed to its terms;

**WHEREAS**, the Ramsey City Council approved the amendment to the Home Occupation Permit on March 22, 2022.

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

- 1) That the Ramsey City Council approves an amendment to the Home Occupation Permit (the '**Permit**') for a firearms sales business on the Subject Property contingent on the following:
  - a. That this agreement shall permit the operation of firearms, ammunition, and accessory sales business (the "**Home Occupation**") within the accessory structure upon completion of the structure, with Permit to Carry classes on the **Subject Property**.
  - b. That the **Permittee** will be allowed to utilize one (1) non-resident employee. Any additional non-resident employees will require the **Permittee** to obtain a new Home Occupation Permit.
  - c. That the combination of customer/client visits and/or deliveries to the **Subject Property** per business day may not exceed four (4) round trips.
  - d. That the hours of operation are limited to [REDACTED]:00 am to [REDACTED]:00 pm Wednesday through Friday, and [REDACTED]:00 am to [REDACTED]:00 pm on Saturdays).
  - e. That business transactions shall be conducted by appointment only within the listed hours of operation.

- f. Permit to Carry classes may occur once per quarter within a single calendar year on the **Subject Property**. A maximum of six (6) customer vehicles may be allowed on the **Subject Property** during a single class. All vehicles shall be parked on the property on a proper surface.
- g. That the **Permittee** agrees to comply with Chapter 117, Article II, Division 6, Subdivision 1 of Ramsey City Code, titled "Signs."
- h. That the **Permittee** agrees there will be no exterior evidence of the **Home Occupation** permitted on the **Subject Property** unless in compliance with Chapter 117-351 (Home Occupations) of Ramsey City Code.
- i. That the **Permittee** is responsible to verify and ensure that the structures(s) is compliant with all applicable state and local codes.
- j. That the building permit (RA043920) for the accessory structure must pass a final inspection from the City's Building Division before business operations can continue.
- k. That should the **Permittee** die or should the **Subject Property** be sold, the **Permit** shall be automatically terminated, except that in the case of death, should a surviving spouse or child, residing at the same address, desire to continue the **Home Occupation**, written notice to that effect shall be given to the Zoning Administrator and the Ramsey City Council may authorize continuation of the **Permit** without further hearing.
- l. The **Permittee** shall reside on the **Subject Property**; if the **Permittee** does not reside on the **Subject Property**, the **Permit** shall be automatically terminated.
- m. That the **Permittee** agrees that the operation will not expand without prior approval by the **City**.
- n. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the **Permittee**.
- o. The **Permittee** shall be responsible for obtaining and having in full force and effect all applicable State, County, and **City** licenses. The **Permittee** must receive proper permitting through the ATF.
- p. The **Permittee** shall be responsible for all costs incurred in the administration and enforcement of this **Permit**.
- q. That the **Permittee** agrees that all drop-offs shall only be from USPS or other typical express delivery outfits that operate in residential areas.

- r. That the Ramsey City Administrator, or his/her designee, shall have the right to inspect the **Subject Property** for compliance and safety purposes annually or at any time, upon reasonable request to the **Permittee**.
- s. That the Ramsey Police Department shall conduct an inspection of the premises prior to continuation of business operations. Installation of necessary security improvements shall be required.
- t. That the **Permittee** agrees to take additional measures to secure the firearms, which must include a gun safe. Additional security requirements recommended by the Ramsey Police Department must be implemented, if any.
- u. That the **Permittee** agrees to secure all firearms and will not leave firearms unattended. The **Permittee** agrees that when the **Permittee** is not in the vicinity of the firearms, they will be secured and stored properly. The **Permittee** agrees to notify the City of Ramsey Police Department and Community Development Department of any thefts or vandalism.
- v. That this **Permit** does not give the **Permittee** or anyone onsite the authorization to test or discharge/shoot firearms onsite. All testing must be done off-site in a permitted location.
- w. That no firearm will leave the property unsecured, uncased, or the case unlocked.
- x. That if the **City** receives or identifies concerns about traffic, noise, disruption to the neighborhood, or public nuisance concerns and they are verified by the **City**, the **Permit** shall be brought forward to the Ramsey City Council for review and possible revocation.

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 22<sup>nd</sup> day of March, 2022.

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Mayor

ATTEST:

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City Clerk