

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

RESOLUTION #22-085

**A RESOLUTION APPROVING A HOME OCCUPATION PERMIT
FOR WAREHOUSING OPERATIONS OF A CONTAINER BUSINESS ON THE
PROPERTY LOCATED AT 6131 GREEN VALLEY RD NW AND DECLARING
TERMS OF PERMIT**

RECITALS

1. Jeff Hillman, hereinafter referred to as the “**Permittee**”, has properly applied for a Home Occupation Permit (the “**Permit**”) to operate a container business (the “**Home Occupation**”) on the property located at 6131 Green Valley Rd NW and legally described as follows:

LOT 10 BLK 1 GREEN VALLEY ESTATES 2ND ADD; SUBJ TO EASE OF REC,
Anoka County, Minnesota

(the “**Subject Property**”)

2. That on February 11, 2022, a code enforcement case was opened for a home occupation violation at the **Subject Property**, and a first notice of violation was sent to the **Permittee**.
3. That on February 23, 2022, the **Permittee** contacted Staff and stated that he would address the violations and apply for the Home Occupation Permit.
4. That on March 23, 2022, the **Permittee** submitted a completed questionnaire regarding the **Home Occupation** on the **Subject Property**.
5. That on March 24, 2022 the **Permittee**, submitted a completed land use application for a Home Occupation Permit to operate a container business on the **Subject Property**.
6. That the **Subject Property** is zoned R-1 Residential (Rural Developing) and the surrounding parcels to the east, west, and north are also zoned R-1 Residential (Rural Developing). The parcels to the south of the **Subject Property** are zoned PUD (Planned Unit Development).
7. That the **Subject Property** is approximately 7.20 acres in size and is surrounding lots range in size from 2.60 acres to 8.34 acres.
8. That the **Subject Property** is guided for Rural Developing (residential) in the City’s Future Land Use Map.
9. That the **Permittee** owns the **Subject Property**, and will occupy the dwelling while conducting business on the **Subject Property**.

10. That the **Home Occupation** is proposed to be based out of the home, and the 13,200 square foot accessory structure on site where the container equipment and materials will be stored. A site plan has been included.
11. That the **Permittee** has stated there will be at least 400 square feet of garage space reserved for indoor residential parking and storage in an attached garage related to residential use on the **Subject Property**, as established in City Code Section 117-351 (Home Occupation).
12. There are no business signs at the **Subject Property**.
13. That the **Permittee** has stated there will be no more than four (4) employee vehicles coming to the property per day. Employees may not park on Green Valley Road NW.
14. That the **Home Occupation** employs four (4) other employees.
15. That the **Permittee** has proposed to store two (2) semi-trailers, and a dock truck outside related to the **Home Occupation**. Employee vehicles parked at the **Subject Property** are not included in this proposal.
16. That the **Permittee** has stated employee parking will be off of the public street on the driveway.
17. That the **Home Occupation** does not involve operating methods that include transactions with the public (customers, clients, consultants, subcontractors, etc.) on the **Subject Property** but does involve operating the business via phone call and email in an office inside the home. Customers do not come to the **Subject Property**.

18. Hours of operation

19. That the City finds the **Home Occupation** operates beyond the parameters of Level I home occupation permit requirements (City Code Section 117-351 and Ordinance #22-06) and therefore requires Planning Commission and City Council review and approval.
20. That City Staff inspected the **Subject Property** on April 13, 2022 and noted the **Subject Property** is not in compliance with City Code requirements related to home-based businesses related to the request, or off-street parking due to the presence of commercial vehicles.
21. That the Planning Commission met and held a duly noticed public hearing on April 28, 2022 during their regularly scheduled meeting and recommended approval of the **Permit** if the use is strictly for warehousing operations.
22. That the City Council **approved/denied** the request during their regularly scheduled meeting on May 10, 2022.

FINDINGS OF FACT

1. That the proposed use **will not** adversely impact traffic in the area.
2. That the proposed use **will not** be compatible with the residential neighborhood due to (in part) density, lot size and use of the surrounding lots.
3. That the proposed use **will not** be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or the public welfare.
4. That the proposed use **will not** substantially or adversely impair the use, enjoyment, or market value of neighboring properties.
5. That the proposed use **will not** be hazardous or disturbing to existing or future neighboring uses.
6. That the proposed use **will** be served adequately by public facilities and services such as highways and streets.
7. That the proposed use **will not** create excessive additional requirements at public cost for public facilities and services, and it will be detrimental to the economic welfare of the community.
8. That the proposed use **will not** involve activities and uses that would 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 request for a Home Occupation Permit (the “**Permit**”) for the operation of J. Hill Container Company on the **Subject Property** is hereby approved pursuant to Sections 117-51 and 117-351 of the Ramsey City Code with the following conditions:

1. That this agreement shall permit the **Home Occupation** of a container business on the **Subject Property** pertaining to warehousing operations.
2. That customers never visit the **Subject Property**.
3. That equipment and vehicles will be placed on the driveway; not at any time on the public streets.
4. 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 City Code except the vehicles mentioned above, and employee vehicles during hours of operation.

5. That the **Permittee** is responsible to verify and ensure that the structure(s) is compliant with all applicable state and local codes.
6. 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 may authorize continuation of the **Permit** without further hearing.
7. The **Permittee** shall reside on the **Subject Property**; if the **Permittee** does not reside on the **Subject Property**, the **Permit** shall be automatically terminated.
8. That the **Permittee** agrees that if the operation expands, they will notify the City of Ramsey and reapply for a **Permit**, including any operations pertaining to manufacturing of the corrugated boxes.
9. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the **Permittee**.
10. The **Permittee** shall be responsible for obtaining and having in full force and effect all applicable State, County and City licenses. This includes a Business License with the City, registering with the State of Minnesota. The **Permit** will not be issued until all required permits/licenses are received.
11. The **Permittee** shall be responsible for all costs incurred in the administration and enforcement of this **Permit**.
12. That the 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**.
13. That the **Permittee** agrees to take additional measures to keep the **Subject Property** in compliance with City Code regulations related to off-street parking and nuisance violations.
14. That the allowed hours of operation are **:00 a.m. to __:00 p.m.**, Monday through Friday barring any inclement weather or holidays. If holiday or weather changes the regular schedule, the **Permittee** may shift hours of operation to Saturday or Sunday; weekend hours of operation are **:00 a.m. to __:00 p.m.** and pursuant to limit of five (5) total workdays per week. The **Permittee** may not expand the hours of operation on any day without express consent from the City. The **Permittee** is limited to five (5) total workdays per week.
15. That this **Permit** does not authorize a future homeowner of the **Subject Property** from utilizing the detached accessory building for a home-based business.

16. That there shall be no outdoor storage at any time related to the **Home Occupation** besides the three (3) vehicles associated with the use.
17. That the salvage of inoperable commercial vehicles for purposes of parts for other operable commercial vehicles is not a permitted use within the District and is declared a public nuisance.
18. That the use shall not cause any other nuisance violations or City Code violations, and the **Subject Property** must remain in compliance with off-street parking violations, public nuisance code provisions, and in compliance with the International Property Maintenance Code. This includes but is not limited to: no junk being stored outside, parking only on the driveway(s), no driving on the grass, etc.
19. That the City reserves the right to revoke the permit for any violation of the above conditions.

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 approved and adopted by the Ramsey City Council this the 10th day of May, 2022.

Mayor

ATTEST:

City Clerk

