

**RAVENNA TOWNSHIP  
DAKOTA COUNTY, MINNESOTA**

Resolution No. 2013-07

**A RESOLUTION ISSUING AN INTERIM USE  
PERMIT FOR A COMMERCIAL ANIMAL SERVICES  
OPERATION ON LAND WITHIN THE TOWN**

**WHEREAS**, Dawn Lanning (“Applicant”) submitted an application to Ravenna Township (“Town”) requesting the issuance of an interim use permit (“IUP”) to provide commercial animal services on the property she owns in common with Patricia Pugh, located at 16032 180<sup>th</sup> Street East, Hastings, Minnesota, 55033, and which is legally described in the attached Exhibit A (“Property”);

**WHEREAS**, the Town previously undertook, at the Applicant’s request, the process to amend the Ravenna Township Zoning Ordinance (“Ordinance”) to allow commercial animal services in the Rural Residential (RR-1) District as an interim use;

**WHEREAS**, the Applicant is seeking an IUP to conduct agricultural education programs, in the form of day camps, and equine assisted therapeutic services on the Property;

**WHEREAS**, the Town Board hereby finds and determines as follows regarding the application:

- a. The Property contains approximately 61.03 acres and is located within the Town’s RR-1 District;
- b. The Applicant currently operates a horse boarding business on the Property, which is allowed within the RR-1 district as a permitted agriculture use. The Applicant also owns and keeps sled dogs on the Property;
- c. The Applicant previously conducted day camps on the Property for a fee to allow children to learn about and ride horses. When the Town notified the Applicant that such a commercial use was not allowed under the Ordinance, she sought an amendment to the Ordinance to allow such educational programs and animal assisted therapeutic services as permitted uses. The Town Board agreed to amend the Ordinance, but to only allow such uses in the RR-1 district with the issuance of an IUP;
- d. The Applicant indicates in her application that no lighting is planned for the Property related to this use and anticipates the use will provide benefits to the area without significant impacts to the surrounding properties;
- e. The proposed uses are within the definition of commercial animal services in Section 40 of the Ordinance and are allowed by Section 101.2.5 in the RR-1 district with the issuance of an IUP from the Town;

- f. The Ravenna Township Planning Commission conducted a public hearing on the application on May 23, 2013 after due notice having been provided. The Planning Commission considered the comments made at the hearing and found that the use, as proposed, satisfies the criteria set out in Section 70.3 of the Ordinance. Specifically, the Planning Commission found the following with respect to the satisfaction of the criteria, taking into account the conditions to be imposed on the IUP: a specific termination date or event can be established; there are no specific additional public costs by establishing this use of the Property; the public impacts of the use, which relate to parking and use of public roads for riding, can adequately be addressed by conditions imposed on the IUP; the use is compatible with the agricultural nature of the area and which is promoted in the Town's Comprehensive Plan; no additional structures are proposed to be built related to this use; the impacts to the neighboring properties can be mitigated through the imposition of conditions limiting the hours and scope of the use; the use will not create any particular detrimental effect on the neighboring owners or the public and instead will provide additional educational and equine therapeutic resources for those living in the area; additional lighting is not allowed as part of this IUP; the use will not unreasonably interfere with public health, safety, or welfare provided it is conducted in a manner that conforms with the conditions imposed on this IUP and complies with all applicable federal, state, and local laws, rules, codes, regulations, and ordinances; and the Applicant is required to provide off-street parking for the use;
- g. The Planning Commission voted to forward the application to the Town Board with a recommendation that it be approved with certain conditions;
- h. The Town Board considered the application at its meeting held on June 13, 2013;
- i. The Town Board concurs with the findings of the Planning Commission and determines the issuance of the requested IUP is consistent with the Ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, that, based on the record of this matter, and the findings and determination contained herein, the Town Board hereby approves and issues an interim use permit to provide commercial animal services on the Property provided the Applicant complies with, and remains in compliance with, all of the following conditions and limitations:

1. Scope of Permit. This permit allows for the operation of agricultural education programs and equine assisted therapeutic services on the Property using the animals that are on the Property either because they are owned by the Applicant or are being boarded on the Property. The therapeutic services allowed by this permit are limited to disabled persons gaining the benefits of riding or otherwise coming into contact with the animals on the Property. The uses allowed by this permit do not include the following: providing veterinarian or other animal health services on the Property for the public; providing overnight camping associated with the commercial animal services; competitions of any type, included but limited to, horse shows, rodeos.
2. Duration of Permit. This permit shall terminate three (3) years from the date of its issuance unless terminated earlier by the occurrence of any of the following: the transfers of the

Property by the Applicant to someone other than the current owner in common; or a violation of any of the conditions imposed on this permit as found by the Town Board after a hearing conducted on the matter. The termination of this permit does not preclude the Applicant from applying for a new IUP. If there are no changes in terms or complaints on the IUP, the town board may renew the IUP.

3. Hours of Operation. The hours of operation of the use, and the only times during which the public may be on the Property related to the use, are limited to the following:
  - a. Sunday through Saturday: 7:00 a.m. to 10:00 p.m.; and
  - b. Holidays: No Hours of Operation.
4. Parking. All parking shall occur on the Property outside of property line setback areas. No on-street parking is allowed. Parking must allow for emergency vehicles to enter/exit property without obstructions.
5. Lighting. No additional outside lighting is planned and no such additional lighting shall be erected on the Property. All such lighting must be placed and directed such that it does not shine on neighboring properties or on any public right-of-way.
6. Building Code. The Applicant shall be required to comply with, and obtain any permits required by, any applicable provisions of the Minnesota State Building Code as adopted in the Ordinance. Township Building Inspector must provide written notice that Property is in compliance with such codes before any public event may be held.
7. Camping. No overnight camping by the public is allowed on the Property. All members of the public attending an educational program or participating in the therapeutic services may only be on the Property during the hours of operation as established in this permit.
8. Trash. All trash generated from the use must be disposed of in proper receptacles.
9. Restroom Facilities. The Applicant must ensure adequate restroom facilities are provided for those participating in the activities.
10. Signs. No additional signage is planned and no such additional signage shall be placed on the Property without first obtaining Town Board approval and all such signage shall comply with the Ordinance.
11. Compliance. This permit is subject to the requirements of the Town's ordinances and the Applicant and Owner are responsible for any and all activities and events on the property and must comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required.
12. No Waiver. A failure by the Town to take action with respect to any violation of any condition, covenant or term of this permit shall not be deemed to be a waiver of such

condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.

13. Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The Applicant shall be given written notice of any violation and reasonable time to cure the violation before a revocation of the permit may occur. Adherence to the terms of this permit shall be monitored on a complaint basis.
14. Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.
15. Amended Permit. Any alteration of the use of the Property, or of any plans submitted related to those uses, including, but not limited to, expansion of the use beyond what is allowed by this permit, shall not be permitted unless an amended interim use permit is obtained from the Town.

Upon being put to a vote, the following supervisors voted in favor of said Resolution:

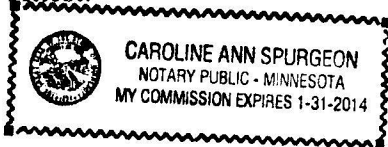
Carl Reuter: X Hank Tressel: X Mike Waxon: X

The following supervisors voted in opposition to said Resolution:

Carl Reuter: \_\_\_\_\_ Hank Tressel: \_\_\_\_\_ Mike Waxon: \_\_\_\_\_

WHEREUPON, the Chairperson declared the Resolution to be duly passed and adopted this 13th day of June, 2013.

Attest:



Caroline Spurgeon  
Caroline Spurgeon  
Clerk/Treasurer

Ravenna Township,  
Dakota County, Minnesota

By: Carl Reuter  
Carl Reuter, Town Board Chairperson

By: Hank Tressel  
Hank Tressel, Town Board Supervisor

By: Mike Waxon  
Mike Waxon, Town Board Supervisor

**EXHIBIT A**  
Legal Description of the Property

Wolcott Acres – 3<sup>rd</sup> Addition

Lot 1 Block 1