

**RAVENNA TOWNSHIP
DAKOTA COUNTY, MINNESOTA
Resolution 2022-11**

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT
FOR THE PROPERTY LOCATED AT 20395 OTERO AVENUE**

WHEREAS, Anthony Scully (“Applicant”) owns the property (PID 33-63000-04-040) located at 20395 Otero Avenue, and which is legally described in the attached Exhibit A (“Property”);

WHEREAS, Applicant submitted an application to Ravenna Township (“Town”) for a conditional use permit (“CUP”) to allow septic services (“Business Use”) on the Property;

WHEREAS, Ordinance 01-2021 Amended thru 2-10-2022 allows septic services in a Rural Residential (“RR-1”) District as a conditional use;

WHEREAS, the Property contains approximately 2.96 acres and is located in the Town’s RR-1 District;

WHEREAS, the Ravenna Township Planning Commission held a public hearing regarding the requested CUP on November 30, 2022 and acted to forward the request to the Town Board with a recommendation that the CUP be granted based on the presented findings and with certain conditions;

WHEREAS, the requested CUP came before the Town Board at its December 8, 2022 meeting and December 29, 2022 meeting, at which the Town Board considered the matter and allowed further comments by the Applicant and the public; and

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

- a. The application received from the Applicant on October 12, 2022 regarding this matter is attached as Exhibit B (“Application”) and is incorporated herein;
- b. Section 101.2.4(4) of the Zoning Ordinance allows the Business Use in the RR-1 District with the issuance of a CUP; and
- c. The Applicant’s proposal meets the applicable use standards and the criteria for approving a CUP under Section 080.3 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board, that it hereby approves and issues, based on the record of this matter, the Application, and the findings contained herein, the requested CUP for the Property to conduct septic services conditioned on compliance with all of the following:

1. Scope. The CUP granted by this Resolution allows the Applicant to provide septic services as described in the Application.
2. Sign. No sign was applied for.
3. Hours of Operation. Between the hours of 6:30 a.m. and 8:00 p.m. Monday thru Friday and between the hours of 7:30 a.m. and 8:00 p.m. Saturday and Sunday.
4. Storage of Materials. No more than 30 yards of aggregate materials can be stored outside on the property. All pipes, tanks, and related septic materials must be stored indoors.
5. Representations. All representations, written and oral, made by the Applicant and the Applicant's agents and representatives to the Town contained in and concerning the Application must have been true, complete, and accurate at the time they were made.
6. Compliance. The Applicant shall comply, and remain in compliance at all times, with all applicable federal, state, and local laws, rules, regulations, and ordinances concerning the development of the Property and operation of the approved use. The Applicant shall also be required to obtain and comply with all other permits and permission that may be required.
7. Inspections. The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant, at all reasonable times to conduct inspections for the purpose of ensuring compliance with this approval. Prior notice to inspect the Property is not required in the event of an emergency.
8. Revocation. The violation of any term or condition of this CUP including, but not limited to, violation of any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of this CUP. The Applicant shall be given written notice of any violation and reasonable time to cure the violation before a revocation of the CUP may occur. Adherence to the terms of this CUP shall be monitored on a complaint basis.
9. Binding. This CUP and its conditions are binding on the Applicant, its successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the CUP is revoked as provided herein. The obligations of the Applicant under this CUP shall also be the obligations of the current and any subsequent owners of the Property.
10. Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this CUP shall automatically be deemed acceptance by the Applicant of, and agreement to, the terms and conditions of this CUP without qualification, reservation, or exception.

11. Recording. The Applicant is responsible for, at its own cost, recording this CUP against the Property with the County and for providing the Town a copy of the recorded CUP within 10 days of the recording.
12. Amendments. Any alteration or expansion of the use authorized by this CUP, or the alteration of any plans submitted related to that use, shall not be allowed unless an amended CUP is obtained from the Town.

Upon being put to a vote,

The following supervisors voted in favor of said Resolution:

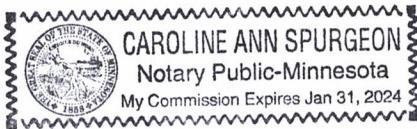
Paul Curtis: X Jeff Human: X Carl Reuter: X

The following supervisors voted in opposition to said Resolution:

Paul Curtis: _____ Jeff Human: _____ Carl Reuter: _____

WHEREUPON, the Chairperson declared the Resolution to be duly passed on this 29th day of December 2022.

Attest:



Caroline Spurgeon
Caroline Spurgeon - Clerk/Treasurer

Ravenna Township,

Dakota County, Minnesota

By: Paul Curtis

Paul Curtis, Town Board Supervisor

By: Jeff Human

Jeff Human, Town Board Supervisor

By: Carl Reuter

Carl Reuter, Town Board Supervisor

EXHIBIT A

Legal Description of the Property

Lot 4, Block 4, Raven Wood, Dakota County, Minnesota

EXHIBIT B
Application

[Attached hereto]