

DOCUMENT A- 593209

Recorded:
February 01, 2016 9:35 AM

Signed: _____

ROBERT J. BAMBENEK, COUNTY RECORDER
WINONA COUNTY, MINNESOTA
Total Pages: 6



W-LL CERTIFICATE: Received[_____]

CONDITIONAL USE PERMIT

This cover sheet is now a permanent part of the recorded document

1/16

Winona County Planning Department
Request for Recording
Winona County Finance Number: 164849
Name: LEROY YODER & ANNA YODER
Parcel Number: 15.000.2641

CONDITIONAL USE PERMIT
Winona County, Minnesota

Permit number 1193 has been issued to: LEROY YODER & ANNA YODER

For the purpose of **Allow a Dog Kennel**

Under Section 10.4.6 (14) for the following described property:
See attached legal description

This permit is issued on 1/5/2016 and is valid until Revoked.

This permit is subject to the following conditions:

1. The owner(s) of the property to which this Conditional Use Permit is issued will abide by all representations and commitments made during the permitting process as well as before the Planning Commission, in accordance with all conditions to the conditional use permit, taken as a whole, as approved by the Planning Commission and the County Board.
2. The petitioners comply with Chapter 9.9 of the Zoning Ordinance relating to Advertising Devices.
3. Petitioner meet sanitary requirements for the collection of dog waste and wastewater, and should not an acceptable method be employed, the petitioner be required to obtain a Septic Permit for the installation of a holding tank.
4. Petitioner comply with all relevant regulations and standards of Winona County and the State of Minnesota.
5. Reduce and limit the number of adult dogs to eighty-five (85) within six (6) months.
6. Allow random inspections and consent to access by County staff or Sherriff's Department.
7. Allow other County staff to perform inspections at 3, 6, 9, and 12 months and then annually thereafter.
8. Maintain an outdoor socialization yard.
9. Continue veterinary visits on a regular basis.
10. Increase the amount of natural light to the area.

This permit is granted upon the express conditions that said owner and his/her contractors, agents, workmen and employees shall comply in all respects with the Ordinances of the County of Winona and the laws of the State of Minnesota.

This permit is granted following a formal public hearing by the Winona County Planning Commission on 12/17/2015, and approved by the Board of Commissioners of Winona County on 1/5/2016

Given under the hand of the Planning Director of Winona County


Eric Evenson-Marden
Planning and Environmental Services Director

Document Number: 500443

Parcel Number: 15.000.2641

Number: 500443

Parcel: 15.000.2641

Exhibit "A"

That part of the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 33, Township 106, Range 9, Winona County, Minnesota described as follows:

Beginning at the southwest corner of said Southwest Quarter of the Southwest Quarter, thence on an assumed bearing of South 89 degrees 43 minutes 54 seconds East, along the south line of said Southwest Quarter of the Southwest Quarter, 315.27 feet; thence North 00 degrees 57 minutes 29 seconds East, 1358.66 feet; thence North 89 degrees 45 minutes 06 seconds West, 320.79 feet to the west line of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 43 minutes 30 seconds West, along said west line, 1358.50 feet to the point of beginning.

Subject to the right of way of Cemetery Road and County Road No. 14.

CONDITIONAL USE PERMIT - LEROY YODER & ANNA YODER

Approved a Conditional Use Permit for LEROY YODER & ANNA YODER to allow Allow a Dog Kennel under Section 10.4.6 (14) of the Winona County Zoning Ordinance for the following described property:

✓ See attached legal description

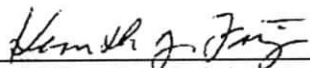
with the following conditions:

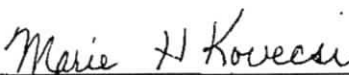
1. The owner(s) of the property to which this Conditional Use Permit is issued will abide by all representations and commitments made during the permitting process as well as before the Planning Commission, in accordance with all conditions to the conditional use permit, taken as a whole, as approved by the Planning Commission and the County Board.
2. The petitioners comply with Chapter 9.9 of the Zoning Ordinance relating to Advertising Devices.
3. Petitioner meet sanitary requirements for the collection of dog waste and wastewater, and should not an acceptable method be employed, the petitioner be required to obtain a Septic Permit for the installation of a holding tank.
4. Petitioner comply with all relevant regulations and standards of Winona County and the State of Minnesota.
5. Reduce and limit the number of adult dogs to eighty-five (85) within six (6) months.
6. Allow random inspections and consent to access by County staff or Sherriff's Department.
7. Allow other County staff to perform inspections at 3, 6, 9, and 12 months and then annually thereafter.
8. Maintain an outdoor socialization yard.
9. Continue veterinary visits on a regular basis.
10. Increase the amount of natural light to the area.

Passed and adopted on 1/5/2016.

✓ Dated:

Attest:


Clerk/ County Administrator


Chairperson of the Board

American Kennel Club's Care and Conditions of Dogs Policy

3/11/2016

Le Roy Yoder 27768 Cemetery Road Utica MN. Parcel
15.000.2641

Category	General Standard	Meets Standard*			Comments
		Y	N	BOA Issue	
Care of Dogs	Dogs should have access on a daily basis for play and exercise.	X			
	Dogs must have access to fresh water as appropriate.	X			
	Dogs must have access to fresh food provided at appropriate intervals to maintain a healthy weight.	X			
	Dogs must be provided appropriate health care, including routine and preventative care.			X	
	Dogs should be provided with daily positive human contact and socialization.	X			Children were playing with the dogs in yard
	Each dog should have its overall health and behavior assessed daily. Any deviation in its health must be addressed expeditiously and appropriately.			X	
	Dogs should be free from internal and external parasites.			X	None were visible
	Dogs should be afforded regular grooming to ensure health and comfort	X			
Kennels and Housing	When euthanasia is necessary, it must always be performed humanely.			X	
	The primary enclosure must be large enough to allow the dogs to sit, stand, lie down, or turn around comfortably without overcrowding	X			
	The primary enclosure must be constructed and maintained so that (1) dogs are securely confined and (2) it does not cause them injury	X			
	Facilities must provide protection from adverse or extreme weather conditions	X			
	While flooring that provides solid footing is preferred, if wire is used as flooring of a primary enclosure, it should be composed of a material featuring a protective coating, be of an appropriate size to prevent injury (especially to feet), and must be kept in good repair. If wire is used, a solid platform of sufficient size should be provided to allow the dogs to attain solid footing and to offer a space for resting.				All kennels that dogs were in had proper coated wire cages with mat resting area.
	Facilities must be lighted to provide a regular lighting cycle for the dogs.				Unknown, area in back had little natural light.
Operations	Bedding material made available to dogs should be clean and not pose a risk to them.	X			
	There must be a sufficient number of staff to carry out appropriate levels of care and conditions for the number of dogs kept.	?			Dogs were not counted, but he has until June to get down to 85 adult dogs
	Facility and primary enclosures should be clean, free from debris and odor, and feces should be picked up and disposed of as frequently as necessary to maintain the dogs' health.	X			
	Each kennel should maintain an adequate emergency preparedness plan for the type of facility owned and breeds of dogs maintained therein			X	There were vet reports posted

*Suspected cases of animal neglect will be reported to the County Sheriff, USDA, and Minnesota Board of Animal Health. The County reserves the right to hire an independent veterinarian to inspect suspect animal health concerns.
BOA: Board of Animal Health

American Kennel Club's Care and Conditions of Dogs Policy

LeRoy Yoder Parcel 15.000.2641 6/13/16

Category	General Standard	Meets Standard*			Comments
		Y	N	BOA Issue	
Care of Dogs	Dogs should have access on a daily basis for play and exercise.	x			
	Dogs must have access to fresh water as appropriate.	x			
	Dogs must have access to fresh food provided at appropriate intervals to maintain a healthy weight.	x			
	Dogs must be provided appropriate health care, including routine and preventative care.			x	
	Dogs should be provided with daily positive human contact and socialization.	x			
	Each dog should have its overall health and behavior assessed daily. Any deviation in its health must be addressed expeditiously and appropriately.			x	
	Dogs should be free from internal and external parasites.	x			No external parasites were observed
	Dogs should be afforded regular grooming to ensure health and comfort	x			
Kennels and Housing	When euthanasia is necessary, it must always be performed humanely.			x	
	The primary enclosure must be large enough to allow the dogs to sit, stand, lie down, or turn around comfortably without overcrowding	x			
	The primary enclosure must be constructed and maintained so that (1) dogs are securely confined and (2) it does not cause them injury	x			
	Facilities must provide protection from adverse or extreme weather conditions	x			
	While flooring that provides solid footing is preferred, if wire is used as flooring of a primary enclosure, it should be composed of a material featuring a protective coating, be of an appropriate size to prevent injury (especially to feet), and must be kept in good repair. If wire is used, a solid platform of sufficient size should be provided to allow the dogs to attain solid footing and to offer a space for resting.	x			
	Facilities must be lighted to provide a regular lighting cycle for the dogs.	x			
Operations	Bedding material made available to dogs should be clean and not pose a risk to them.	x			
	There must be a sufficient number of staff to carry out appropriate levels of care and conditions for the number of dogs kept.	x			There were 85 adult dogs on site. It was difficult to tell the difference between adult toy dogs and puppies
	Facility and primary enclosures should be clean, free from debris and odor, and feces should be picked up and disposed of as frequently as necessary to maintain the dogs' health.	x			
	Each kennel should maintain an adequate emergency preparedness plan for the type of facility owned and breeds of dogs maintained therein			x	

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BOA: Board of Animal Health

American Kennel Club's Care and Conditions of Dogs Policy

LeRoy Yoder 27768 Cemetary Road Utica, Minnesota 55979

Parcel 15.000.2641 10-3-16

Category	General Standard	Meets Standard*			Comments
		Y	N	BOA Issue	
Care of Dogs	Dogs should have access on a daily basis for play and exercise.	X			
	Dogs must have access to fresh water as appropriate.	X			
	Dogs must have access to fresh food provided at appropriate intervals to maintain a healthy weight.	X			
	Dogs must be provided appropriate health care, including routine and preventative care.	X			
	Dogs should be provided with daily positive human contact and socialization.	X			
	Each dog should have its overall health and behavior assessed daily. Any deviation in its health must be addressed expeditiously and appropriately.			X	
	Dogs should be free from internal and external parasites.	X			External parasites were not seen
	Dogs should be afforded regular grooming to ensure health and comfort	X			
	When euthanasia is necessary, it must always be performed humanely.			X	
Kennels and Housing	The primary enclosure must be large enough to allow the dogs to sit, stand, lie down, or turn around comfortably without overcrowding	X			
	The primary enclosure must be constructed and maintained so that (1) dogs are securely confined and (2) it does not cause them injury	X			
	Facilities must provide protection from adverse or extreme weather conditions	X			
	While flooring that provides solid footing is preferred, if wire is used as flooring of a primary enclosure, it should be composed of a material featuring a protective coating, be of an appropriate size to prevent injury (especially to feet), and must be kept in good repair. If wire is used, a solid platform of sufficient size should be provided to allow the dogs to attain solid footing and to offer a space for resting.	X			
	Facilities must be lighted to provide a regular lighting cycle for the dogs.	X			
	Bedding material made available to dogs should be clean and not pose a risk to them.	X			
Operations	There must be a sufficient number of staff to carry out appropriate levels of care and conditions for the number of dogs kept.	X			
	Facility and primary enclosures should be clean, free from debris and odor, and feces should be picked up and disposed of as frequently as necessary to maintain the dogs' health.	X			
	Each kennel should maintain an adequate emergency preparedness plan for the type of facility owned and breeds of dogs maintained therein			X	

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BOA: Board of Animal Health

American Kennel Club's Care and Conditions of Dogs Policy

Category	LeRoy Yoder 27768 Cemetary Rd. Utica 2/3/17	Meets Standard*			Comments
		Y	N	BOA Issue	
Care of Dogs	Dogs should have access on a daily basis for play and exercise.	X			
	Dogs must have access to fresh water as appropriate.	X			
	Dogs must have access to fresh food provided at appropriate intervals to maintain a healthy weight.	X			
	Dogs must be provided appropriate health care, including routine and preventative care.	X			
	Dogs should be provided with daily positive human contact and socialization.	X			
	Each dog should have its overall health and behavior assessed daily. Any deviation in its health must be addressed expeditiously and appropriately.	X			
	Dogs should be free from internal and external parasites.	X			There were no observed external parasites
	Dogs should be afforded regular grooming to ensure health and comfort When euthanasia is necessary, it must always be performed humanely.	X		X	
Kennels and Housing	The primary enclosure must be large enough to allow the dogs to sit, stand, lie down, or turn around comfortably without overcrowding	X			
	The primary enclosure must be constructed and maintained so that (1) dogs are securely confined and (2) it does not cause them injury	X			Stainless steel and heated tile
	Facilities must provide protection from adverse or extreme weather conditions	X			There is heated inside kennel and outside runs
	While flooring that provides solid footing is preferred, if wire is used as flooring of a primary enclosure, it should be composed of a material featuring a protective coating, be of an appropriate size to prevent injury (especially to feet), and must be kept in good repair. If wire is used, a solid platform of sufficient size should be provided to allow the dogs to attain solid footing and to offer a space for resting.	X			
	Facilities must be lighted to provide a regular lighting cycle for the dogs.	X			
	Bedding material made available to dogs should be clean and not pose a risk to them.	X			
Operations	There must be a sufficient number of staff to carry out appropriate levels of care and conditions for the number of dogs kept.	X			There was one adult and two children present in the kennel when I arrived unannounced
	Facility and primary enclosures should be clean, free from debris and odor, and feces should be picked up and disposed of as frequently as necessary to maintain the dogs' health.	X			Each kennel is cleaned dally
	Each kennel should maintain an adequate emergency preparedness plan for the type of facility owned and breeds of dogs maintained therein	X			

*Suspected cases of animal neglect will be reported to the County Sheriff, USDA, and Minnesota Board of Animal Health. The County reserves the right to hire an independent veterinarian to inspect suspect animal health concerns.
BOA: Board of Animal Health