


DOCUMENT A- 593212

Recorded:
February 01, 2016 9:35 AM

Signed: 

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



WELL 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: MENNO BONTRAGER
Parcel Number: 14.000.1012

CONDITIONAL USE PERMIT
Winona County, Minnesota

Permit number 1195 has been issued to: MENNO BONTRAGER
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. Limit the number of adult dogs to fifty (50).
6. Allow random inspections and consent to access by County staff or Sherriff's Department.
7. Maintain an outdoor socialization yard.

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: 575131

Parcel Number: 14.000.1012

Exhibit A

A part of the North Half of the Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) of Section Sixteen (16), Township One Hundred Five (105) North, Range Ten (10) West, Winona County, Minnesota, described as follows:

Commencing at the southeast corner of the North Half of said Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$); thence North 89 degrees 21 minutes 03 seconds West (NOTE: all bearings are on the Winona County NAD 1983, HARN 96 adjustment) along the south line of said North Half (N $\frac{1}{2}$) for a distance of 744.08 feet to the POINT OF BEGINNING; thence North 00 degrees 14 minutes 58 seconds East for a distance of 521.35 feet; thence North 89 degrees 37 minutes 59 seconds West for a distance of 167.25 feet; thence South 00 degrees 14 minutes 58 seconds West for a distance of 520.53 feet to the south line of said North Half (N $\frac{1}{2}$); thence South 89 degrees 21 minutes 03 seconds East along said south line for a distance of 167.25 feet to the POINT OF BEGINNING; Containing 2.00 Acres, more or less.

Together with a 33 foot wide non-exclusive Access Easement for roadway purposes, the East line and Northeasterly line of said Easement are described as follows:

Commencing the southeast corner of the North Half of the Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) of Section Sixteen (16), Township One Hundred Five (105) North, Range Ten (10) West, Winona County, Minnesota; thence North 00 degrees 02 minutes 31 seconds West along the east line of said North Half (N $\frac{1}{2}$) for a distance of 160.00 feet to the POINT OF BEGINNING of the line to be described; thence

continue North 00 degrees 02 minutes 31 seconds West along said east line for a distance of 360.00 feet; thence North 54 degrees 39 minutes 55 seconds West for a distance of 93.09 feet and there terminating.

AND ALSO,

A 50 foot wide non-exclusive Access Road Easement in the North Half of the Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) in said Section Sixteen (16), the south line of said easement is described as follows:

Commencing at the southeast corner of the North Half of the Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) of said Section Sixteen (16); thence North 00 degrees 02 minutes 31 seconds West (NOTE: all bearings are on the Winona County NAD 1983, HARN 96 Adjustment) along the east line of North Half (N $\frac{1}{2}$) for a distance of 160.00 feet; thence North 89 degrees 21 minutes 03 seconds West for a distance of 42.00 feet; thence North 01 degree 44 minutes 33 seconds West for a distance of 306.53 feet; thence North 24 degrees 02 minutes 15 seconds West for a distance of 62.39 feet to the POINT OF BEGINNING of the line to be described; thence North 89 degrees 24 minutes 01 second West for a distance of 259.27 feet; thence North 89 degrees 32 minutes 42 seconds West for a distance of 405.67 feet; thence North 89 degrees 37 minutes 59 seconds West for a distance of 167.25 feet and there terminating.

The sidelines of both Easements are to be lengthened or shortened to allow a continuous easement line.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: covenants, easements and restrictions of record.

Parcel Number:14.000.1012

CONDITIONAL USE PERMIT - MENNO BONTRAGER

Approved a Conditional Use Permit for MENNO BONTRAGER 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:

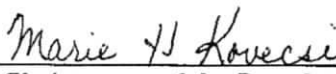
1. The owner(s) of the property to which this Conditional Use Permit is issued will abide by all representations and commitments made during the permitting process as well as before the Planning Commission, in accordance with all conditions to the conditional use permit, taken as a whole, as approved 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. Limit the number of adult dogs to fifty (50).
6. Allow random inspections and consent to access by County staff or Sherriff's Department.
7. Maintain an outdoor socialization yard.

Passed and adopted on 1/5/2016.

✓ Dated:

Attest:


Clerk/County Administrator


Chairperson of the Board

Menno Bontrager 13000 Keller DR. Parcel 14.000.1012

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			This is a new structure built for a dog kennel with heat and natural light
	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			The only slotted floors were the transition between outside kennel and inside kennel for the purpose of cleaning paws before getting to the inside kennel.
	Facilities must be lighted to provide a regular lighting cycle for the dogs.	X			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.	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	

*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

Category	Menno Bontrager 13000 Keller Drive St. Charles, MN Parcel 14.000.1012	Meets Standard*			Inspection date 7-6-16	
		Y	N	BOA Issue		
Care of Dogs	Dogs should have access on a daily basis for play and exercise.	X			This is a new kennel. There is an outdoor socialization yard.	
	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 external parasite present.
	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				
	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		

*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