

DOCUMENT A- 620067

Recorded: October 15, 2019 8:50 AM

By Deputy: NJ

**Robert J. Bambenek, County Recorder
Winona County, Minnesota**

Fee Amount: \$0 Total Pages: 6



() \$5.00 Cons Fee: () WDC Fee: Received

Winona County Planning Department
Request for Recording
Name: MENNO YODER
Parcel Number: 14.000.0675

CONDITIONAL USE PERMIT

Winona County, Minnesota

Permit number 1279 has been issued to: MENNO YODER

For the purpose of a dog kennel

Under Section 5.5.4.1 and 10.4.6 (14) for the following described property:

See attached legal description

This permit is issued on 10/8/2019 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 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 seventy-five (75).*
6. *Maintain an outdoor socialization yard.*
7. *The petitioner obtains a Development Certificate for the construction of the proposed addition and associated improvements for the kennel facility.*
8. *The owner(s) of the property shall allow Winona County staff or Sheriff's Department to inspect the property annually or as otherwise necessary to evaluate compliance with the Conditional Use Permit or Interim Use Permit if it is recommended for issuance.*

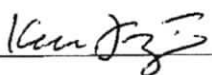
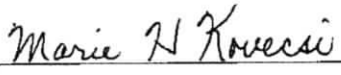
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This permit is granted upon the express conditions that said owner and his/her contractors, agents, workmen and employees shall comply in all respects with the Ordinances of the County of Winona and the laws of the State of Minnesota.

This permit is granted following a formal public hearing by the Winona County Planning Commission on 9/19/2019, and approved by the Board of Commissioners of Winona County on 10/8/2019.

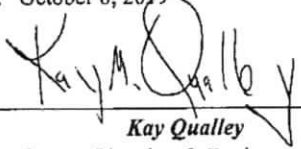
Passed and adopted on 10/8/2019.

Dated: October 8, 2019

Attest:  
Clerk/County Administrator *Chairperson of the Board*

Given under the hand of the Planning & Environmental Services Director of Winona County

Dated: October 8, 2019


Kay Qualley
Winona County Planning & Environmental Services Director

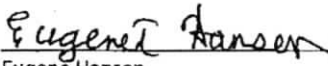
**Winona County
Planning Commission
Recommendation**

The Winona County Planning Commission hereby recommends that the Winona County Board of Commissioners adopt the attached proposed Findings of Fact and:

APPROVE DENY

the Conditional Use Permit.

Date: September 19, 2019


Eugene Hansen
Chairperson, Winona County Planning Commission

Findings of Fact

Findings shall be made in recommending that the County Board grant or deny an application for a Conditional Use Permit. Winona County Zoning Ordinance 5.5.4.1 requires that the Planning Commission ensure the request fulfills all specific standards of the Ordinance and that adequate evidence for the following findings exists:

1. The use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities and utilities which serve or are proposed to serve the area.
The proposed use will have minimal impact on existing infrastructure.
2. The use will not be sufficiently compatible or separated by distance or screening from adjacent land so that existing properties will not be depreciated in value and there will be no deterrence to development of vacant land.
The proposed kennel would not be sufficiently separated from adjacent land to protect from the barking dogs which have a detrimental impact and would depreciate existing properties.
3. The structure and site will have an appearance that will not have an adverse effect upon adjacent residential properties.
The proposal is for a structure common in the area, so it would be consistent with the setting.
4. The use is not reasonably related to the overall needs of the County and to the existing land use.
The petitioner has stated that the kennel is another form of income for the family, but has not demonstrated how it is reasonably related to the needs of the County and existing land use.
5. The use is consistent with the purpose of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.
The use is permitted in the Agricultural/Resource Conservation District as a conditional use and is consistent as long as the petitioner complies with the Zoning Ordinance requirements and conditions attached to the permit.
6. The use is in conformance with the Comprehensive Plan of the County.
The proposed use would add an income stream to a small family farm, allowing for the continued viability of a working agricultural operation.
7. The use will not cause traffic hazard or congestion.
Township and County roads adequately serve the property and kennel operation should not place demands on public services and facilities in excess of current capacity. The additional traffic is only expected to include veterinarians, brokers, and USDA inspectors.
8. The use is not a temporary use and does not have an identifiable date or event for termination.
Given the information received, no date or event for termination can be identified.

Based on the foregoing findings, the Winona County Board of Commissioners

APPROVES DENIES

this petition for the following conditional use permit:

to allow a dog kennel pursuant to Chapter 10.4.6(14) of the Winona County Zoning Ordinance

so long as the following conditions are met:

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 be required to obtain a Septic Permit for the installation of a holding tank.*
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8. *The owner(s) of the property shall allow Winona County staff or Sheriff's Department to inspect the property annually or as otherwise necessary to evaluate compliance with the Conditional Use Permit or Interim Use Permit if it is recommended for issuance.*

Date: 10-8-19

Marie Kovcesi

Marie Kovcesi
Chairperson, Winona County Board of Commissioners