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Olmsted County, Minnesota



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DANIEL J. HALL - County Recorder, by _____ Deputy.

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14. 710710 24-10-14

Received from/return to:
TCPA

PO BOX 339
ROCHESTER, MN 55903

**CASCADE TOWNSHIP
CONDITIONAL USE RESOLUTION
NUMBER CUP-03-03**

WHEREAS, an application for a Conditional Use Permit on behalf of, Don and Sue Kirckof to allow animal units(horses) and construct a horse barn/riding arena for the boarding of horses on a parcel described as:

Commencing at the SE corner of the NW ¼ of the NW ¼ then N 66 feet to a point of beginning, thence left 367.80 feet thence right 355.30 feet thence right 367.80 feet to easterly line NW ¼ NW ¼ thence right 355.30 feet to beginning. Section 24, T107N-R14W, Cascade Township, Unplatted, Olmsted County MN. Containing three acres.

WHEREAS, the applicant(s) are asking the Cascade Township Planning Commission of the County of Olmsted, State of Minnesota, to be granted a Conditional Use Permit per Article IV of the Cascade Township Zoning Ordinance and.

WHEREAS, the matter has been reviewed by the Zoning Administrator and he has submitted his report to the Planning Commission concerning the Conditional Use and.

WHEREAS, Cascade Township Zoning Ordinance Section 8.06 Industrial District B. 17. Other manufacturing and industrial uses, requires that a Conditional Uses Permit be applied for and.

WHEREAS, a public hearing on the proposed Conditional Use was duly noticed and held by the Cascade Planning Commission at the Rochester Covenant Church, 4950 31st Avenue NW, Rochester, MN after 6:30 pm on Tuesday September 16, 2003, at which hearing all interested persons were given the opportunity to be heard.

NOW, THEREFORE, be it resolved by the Cascade Township Planning Commission as follows:

FINDING OF FACT AND CONDITIONS:

*PA
TCPA*

The parcel is located within an I (Industrial District)

The applicant meets the "Criteria for Granting Conditional Uses" of the Cascade Township Zoning Ordinance and the applicant, has acknowledged and agreed to the following:

Findings:

According to the applicant horses have been located on the parcel for about the last 31 years for personal use.

CONDITIONS:

1. No more than 12 horses shall be allowed on the property at any time. No feedlot as defined by the ordinance will be allowed.
2. If and when the parcel is annexed into the City of Rochester the use must be discontinued upon notice of the City of Rochester.
3. No expansion of the boarding/riding area shall be allowed without amending or applying for a new CUP.
4. Septic must meet current township health standards.
5. Well water must meet current Olmsted County Health standards.
6. Outside lighting shall be diffused or directed away from adjoining properties or public roads.
7. This CUP is not transferable.
8. The township officers or its staff shall be allowed to inspect the property during regular business hours.
9. An approved manure management plan to prevent pollution must be submitted to the Cascade Township Board prior to boarding any horses on the parcel.
10. Review of Conditional Use Permit. This Conditional Use includes, at the discretion of the Town Board, a periodic review to determine compliance with the conditions of the permit, and whether changed circumstances or conditions require changes to the permit. The Town Board may also elect, upon adoption of an appropriate resolution following verification of a complaint that a condition has been violated, to conduct a review of the permit. Said review shall only take place following written notice to the owner of the subject property and a duly

noticed public hearing. Following such hearing, the permit may be amended based on changed conditions and experiences with the site.

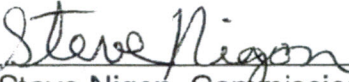
11. All horses to be owned by the applicant and for personal riding only.

CONCLUSION:

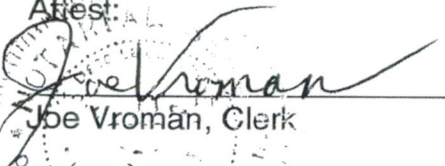
A motion by Lenny Laures and second by Joe Vroman to approve the application, the motion carried on a 3-0 vote.

The Cascade Township Planning Commission hereby grants a Conditional Use Permit per Article IV of the Cascade Township Zoning Ordinance to allow a horse boarding/riding arena, on the property listed above and, according to the conditions listed above.

Passed and adopted by the Cascade Township Planning Commission this 16th day of September 2003.


Steve Nigon, Commission Chair

Attest:


Joe Vroman, Clerk

DISTRIBUTION:

County Recorder
Township Clerk
County Planning
Zoning Administrator
Applicant