



Le Sueur County, MN

Thursday, December 14, 2017

Regular session

Item 1

Pine Creek Kennels, LLC, Jake Kline

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER: PINE CREEK KENNELS, LLC--JAKE KLINE

PROJECT DESCRIPTION: To allow the applicant to expand an existing dog kennel to include training, boarding, and breeding in an Agriculture "A" District. *(Conditional Use Permit granted in 2010 to establish and operate a kennel at this location)*

SECTION 8. Animal hospitals, veterinary clinics, animal crematoriums and related facilities for the care and breeding of animals including kennels.

ZONING PURPOSE:

The Agriculture (A) District is established for areas where agriculture uses are seen as the best and highest long term use of the land. The land itself needs to be preserved for primarily agricultural activities. These areas should avoid existing cities, residential zones and subdivisions. They should be large contiguous land areas with mostly prime soils. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity of the District. Dwellings that are allowed should be on the edges of the open farmland where possible or utilize existing abandoned farm sites. The total number of Dwellings shall not exceed sixteen (16) per section of land with the exception of Transfer of Development Right and lots of record. Transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided that the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of Record, shall be exempt from density standards.

GOALS AND POLICIES:

The current Land Use Plan as adopted in 2007 does not make reference to the establishment and operation of Animal hospitals, veterinary clinics, animal crematoriums and related facilities for the care and breeding of animals including kennels. However, it is addressed as a Conditional Use Permit within the Agricultural District.

SITE INFORMATION

LOCATION: 5.08 acre parcel in the Section 32, Lanesburgh Township

ZONING: "A" Agricultural

GENERAL SITE DESCRIPTION: Existing Building Site

ACCESS: Existing driveway access off Township Road

EXISTING LAND USE WITHIN ¼ MILE:
North: AG/WETLANDS South: AG/WETLANDS East: AG West: AG/WOODED

TOWNSHIP BOARD REVIEW

The applicant notified Tony Kubes, Lanesburgh Township Board member in August of 2017.

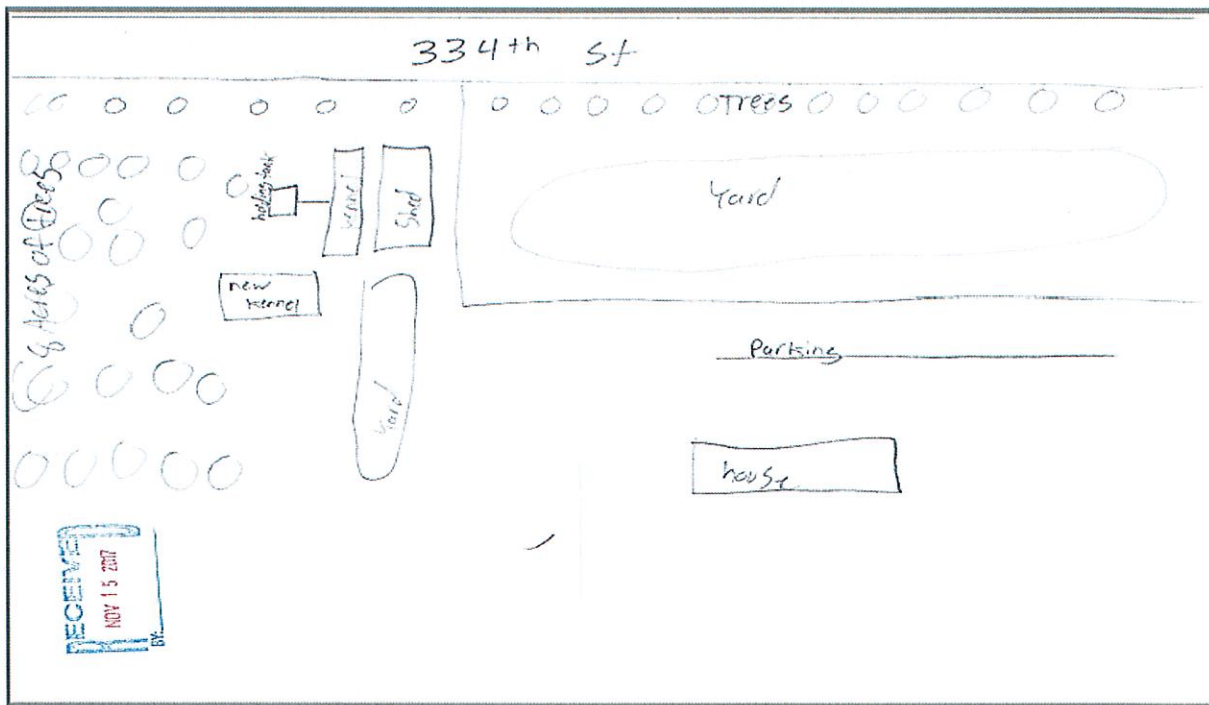
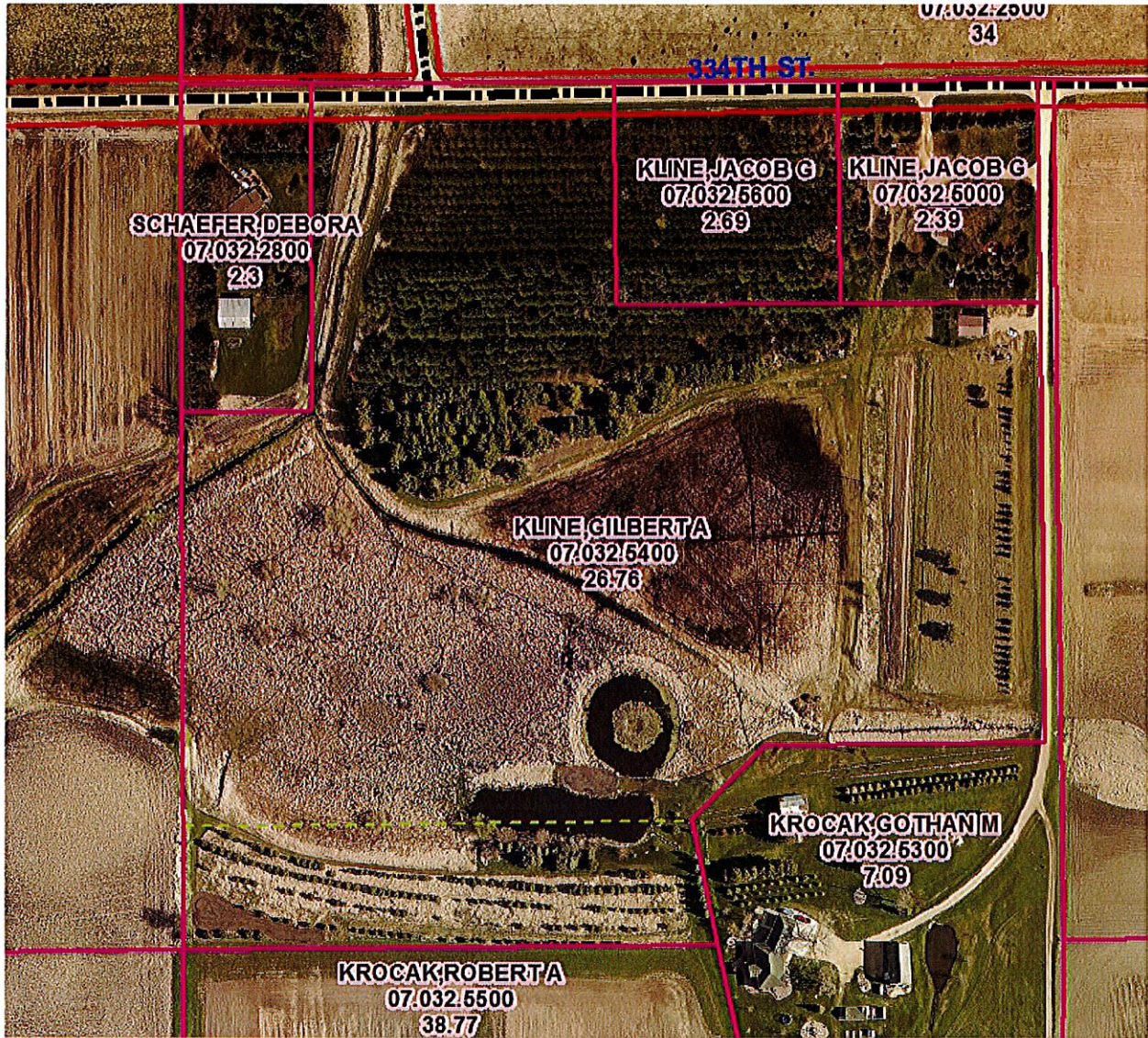
NATURAL RESOURCES INFORMATION

SHORELAND: The proposal is not located within the Shoreland District.

WETLANDS: According to the National Wetlands Inventory, Type 3 wetlands located in the quarter-quarter section where the kennel is proposed.

ATTACHMENTS

Application, Narrative, Site Plan.



PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

PLANNING AND ZONING COMMISSION CONDITIONS

The Planning Commission shall recommend such conditions relating to the granting of said Conditional Use Permit, as they deem necessary to carry out the intent and purpose of this Ordinance or recommend that the request be denied. Such recommendation shall be in writing. The conditions may include, but are not limited to the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of the structures.
3. Controlling the location, size, and number of vehicle access points.
4. Increasing the street width.
5. Increasing the number of required off-street parking space.
6. Limiting the number, size, location, or lighting of signs.
7. Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
8. Designating sites for open space.

PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

(Please circle one for each item: Agree, Disagree, Not Applicable.)

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities are being provided.*
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

Recommend (circle one) approval / denial / table / of Conditional Use Permit.

VII. Type of Request:

- Self Service Storage
- School/Church/Cemetery
- Retail Nursery/Greenhouse
- Other Dog Kennel
- Value Added Agriculture
- Antique Sales/Service/Repair
- Substation/Transmission Line etc.

VIII. Description of Request:

- a. A full description of request with detailed information must be attached.
- b. Complete the following in relationship to the proposed Conditional Use Permit.

- 1. PROPOSED DAYS AND HOURS OF OPERATION: M-5 7-5
- 2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: 3
- 3. LIST OF PUBLIC HEALTH PLANS:
 - i. Water Supply: Own well
 - ii. Toilet facilities: 1
 - iii. Solid Waste Collection: Get Pumped
- 4. FIRE PREVENTION: Yes
- 5. SECURITY PLANS: Yes
- 6. RETAIL SALES: Some
- 7. FOOD OR ALCOHOL SERVED OR FOR SALE: NO
- 8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.)
None
- 9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:
None
- 10. EXTERIOR LIGHTING: very little
- 11. PARKING AND LOADING: -
- 12. SIGNAGE: -
- 13. ROAD ACCESS: (Approved by the road authority) _____
- 14. CERTIFICATE OF INSURANCE: _____
- 15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) None

IX. Site Plan: Shall include but not limited to the following:

- North point
- Lake
- Existing Structures
- Septic system
- Setbacks
- River
- Proposed Structures
- Well
- Property Lines
- Wetland
- Lot Dimensions
- Access (size & location)
- Road Right-Of-Way
- Stream
- Ponds
- Easements
- Parking (Size & location-if applicable to application)
- Landscape, screening and buffering (if applicable to application)
- Location of significant trees to be removed (if applicable to application)

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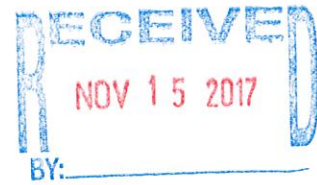
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Jake Kline
17391 334th Street
Montgomery, Minnesota 56069
952-292-2055



Jkpinecreekkennels@gmail.com

Re: Conditional use permit for expanding my dog training and boarding facility

Located at: Sect-32, Twp-112, Range-23

For September 14, 2017 planning and zoning commission meeting consideration

Please accept this as our narrative for our application for a conditional use permit to expand our dog training business

Notes:

All dogs will have to be current on vaccinations (rabies, dhpp, and bordetella). The maximum number of dogs the new building can hold would be twenty. The total number of dogs on the property would be forty. The kennel runs would be 4 by 6 foot individual kennel runs inside a climate controlled building. Safety is our first priority and all kennels will be inspected daily to make sure there are no issues. Whenever a dog is out of its kennel, it will be under supervision. I have been training dogs here at this location for seven years now without any kind of problems. I am hoping to add on and expand my business.

I spoke with Lansburgh township board on August 7, 2017. They had no concerns on this proposal.

Written explanation of how the proposed conditional use permit will comply with each standard:

- 1. Burden of public facilities: The use will not create an excessive burden on existing public parks, schools, streets and other facilities and utilities which serve or are proposed to serve the area.**

There are no public facilities near the planned kennel site or training grounds.



2. Compatible with surrounding uses: The use will be sufficiently compatible with, separated by sufficient distance or screened from adjacent agricultural or residential zoned or land uses so that there will be no deterrence to the use or development of adjacent land and uses.

All Land that will be used to train the dogs or exercise them is either mine or Gilbert Kline's. I spoke with Gilbert and he had no concerns on this proposal.(I have attached a signed letter). All other land around me is farm or crp, which i will have no effect on.

3. Appearance: The structure and/or site is designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the adjacent properties.

This structure will be new construction that will match the surrounding buildings. It will be all brown tin with a white service door, tan garage door and 6 white windows. The building will be insight from my house and I will do some landscaping around it. There is ten acres of trees butting up to north,south and west side of new building. The east side would be facing my home so little to none of the building would be visible.

4. Zoning district purpose: The use in consistenit with the purpose of the ordinance and the purpose of zoning district in which the applicant tends to locate the proposed use.

Per section 8-agriculture districts a-subdivision 3-conditional uses-number 17 as outlined: Veterinary and animal clinics and related facilities for the care and breeding of animals including kennels.

5. Comprehensive plan: the use is not in conflict with the comprehensive land use plan of Le Sueur County.

The use of this facility is not in conflict with the comprehensive land use plan of Le Sueur County.

6. Traffic, access parking: Adequate measures have been taken to provide sufficient on-site parking, provide adequate access to public roads.

The parking is outlined in the site plan. There is plenty of room to park in my driveway. There should never be more than two customers here every half hour. The drive way provides adequate access to 334th street which is gravel and should be adequate.

7. Erosion control and stormwater: Erosion control and/or storm-water management are provided in accordance with applicable standards (erosion control plan and/or stormwater plan required).

We will comply with the erosion and sediment control plan.

8. Sewer and water: The site is adequate for water supply and sewage treatment.

There is a 2000 gallon holding tank for the cleaning and liquid disposal. An independent water line will be installed directly into the facility for cleaning and watering. The building will have a foot wide gutter running through center for drainage.

9. County needs: The use is reasonably related to the overall needs of the county and to the existing land use.

Yes, there is a need for a training/boarding facility, as well as to increase tax base and job creation.

10. Nuisance mitigation: Plan related to noise, odors, glare, dust or similar nuisance needs.

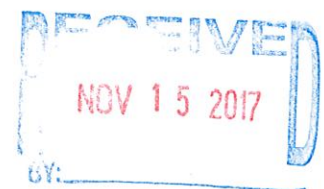
Noise:

All dogs will be kept in a climate controlled building which will be well insulated. The closest home is approximately 400 yards away. There are many mature trees around to help control the noise. The facility is 50 ft from my home. Any noise issues will be addressed immediately.

Odors:

All solids will go into the holding tank and pumped out as needed.

Building:



30x100 building single story,slab on grade with footing to code. All brown tin with 6 white windows a white service door and tan overhead door.

Electrical,water and drainage:

This building will have independent electrical panel and water. There will be a 1 foot wide gutter running through the center of building for proper drainage to holding tank. All solids will enter the holding tank and pumped out as needed.

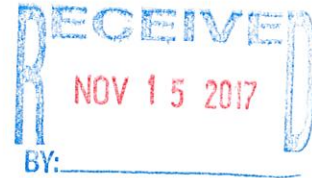
Contractors

To be determined

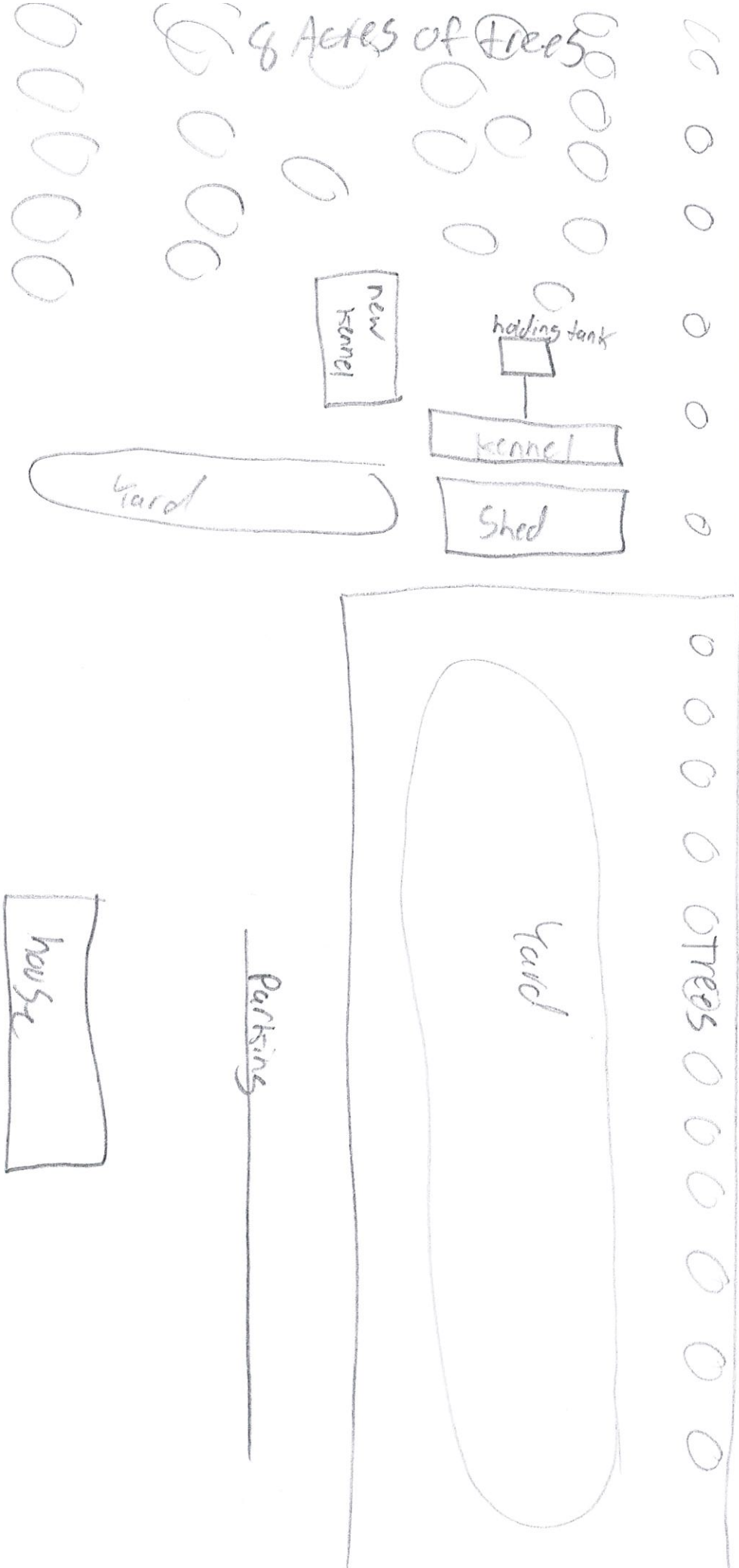
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Kaderlick well drilling,water

Electrical, myself



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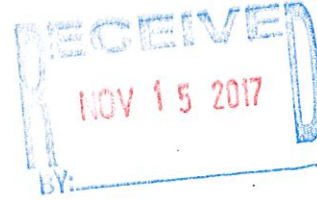


334th St

313 Lyndale Ave
New Prague, Mn. 56071
Phone (612) 232-9737
Fax (952) 758-6278

**Advanced OnSite,
Inc.**

Memo



To: Jacob Kline
From: Tom Klanchnik
Date: September 4, 2017
Re: Septic Comp. Insp: 17391 334th Street Montgomery, MN. 56069

KENNEL BUILDING HOLDING TANK

Hi,

Please find the enclosed M.P.C.A. Compliance Inspection forms for your 2010 Kennel Building Holding Tank at the above noted location. The Inspection was completed on August 26, 2017.

A physical inspection of the entire system area and its components was conducted. **NO EVIDENCE OF DISCHARGE OF ANY KIND WAS OBSERVED.**

The 1500 gallon DC Holding tank was probed to verify as **PRECAST WITH SOLID A BOTTOM.** This confirms As-Built data from LGU files.

Based upon my site evaluation of **August 26, 2017** this Kennel Building Holding tank system has been classified as a **passing** or **complying** system. Please note that no determination of future hydraulic performance has been nor can be made due to unknown conditions during system construction, abuse of the system, inadequate maintenance, or future water usage.

If you have any questions please feel free to contact me at (612) 232-9737.
Thanks!