

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2008-19**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT
FOR WASTE BUSTERS**

WHEREAS, Waste Busters (“Applicant”) has submitted an application for a Conditional Use Permit for exterior storage uses (Storage - Not Accessory to Permitted Principal Use) at 7688 Jamaca Avenue North in the City of Grant, Minnesota; and

WHEREAS, the property is legally described as follows:

All that part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 30, Range 21 which lies southeasterly of the southeasterly line of MN Dept of Natural Resources Trail (FKA Soo Line RR R/W) & which lies Northerly of the Northerly line of Washington County Highway R/W Plat #19 according to the plat there of on file & of record in office of the County Recorder of Washington County Minnesota this parcel contains 11.17A M/L & is subject to R/W of Jamaca Avenue North & is also subject to pipeline easement record in BK 200 of deeds Page 581 & on file & of record in said office of County Recorder Except 83028-2416 -subject to easement for US West Communications Grant Twp.

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on October 21, 2008, and has recommended approval to the City Council; and

WHEREAS, the City Council for the City of Grant has considered the Planning Commission’s recommendation at its November 6, 2008, City Council meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Waste Busters for a Conditional Use Permit, based upon the following

findings pursuant to Ordinance 1997-77, Section 505.03 which provides that a Conditional Use Permit may be granted “if the applicant has proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- The Storage - Not Accessory to Permitted Principal Use is designated in Section 604 of the Zoning Ordinance as a conditional use in the A-1 district;
- The use is not in conflict with the Comprehensive Plan, because while storage is not a typical agricultural and rural use, it does not reduce the potential for the property or surrounding properties to be used for agriculture or rural lot densities in the future;
- The proposed use is compatible with the existing neighborhood because of the small size and part-time nature of the operation, the 20-year length of existing use, location and screening on the property, and no complaints to the City about the operation;
- The use will not create additional requirements for facilities and services at public cost beyond Grant’s normal low density residential and agricultural uses;
- The use will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to people, property, or the general welfare because of production of traffic, noise, smoke, fumes, glare, odors, or any other nuisances;
- The use will not result in the destruction, loss or damage of natural, scenic or historic features of importance;
- The use will not increase flood potential or create additional water runoff onto surrounding properties; and

FURTHER BE IT RESOLVED, that the following conditions of approval of the Conditional Use Permit shall be met:

1. All boxes containing waste or materials must be securely covered while stored on the property and while in transport.
2. Existing berms and vegetation shall be maintained to provide screening. No new berms are allowed without an amendment to this permit.
3. A maximum of 15 storage boxes are permitted.
4. A maximum of two hauling trucks are permitted.
5. Storage of boxes is only permitted in the storage area identified on the site sketch as the Storage Area.
6. No storage of hazardous materials is permitted at the site.

7. All activities occurring under the CUP shall meet the conditions of the City's Noise Ordinance.
8. Hours of operation are Monday through Friday, 5:00 PM to 9:00 PM, Saturday 7:00 AM to 5:00 PM, and Sunday 9:00 AM to 5:00 PM. Operation includes trucks loading and unloading boxes on the property and transporting boxes to and from the property.
9. A permit from the City is required prior to any burning of stored materials.
10. The CUP shall be subject to annual review by the City for compliance with the conditions set forth in the CUP. The applicant shall comply with City Ordinances that require the applicant to pay a CUP review fee.
11. That all fees and escrow are paid.

Adopted by the Grant City Council this 2nd day of December, 2008.

Tom Carr, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on June 3, 2008 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this ____ day of _____, 2008.

Kim Points
Clerk
City of Grant